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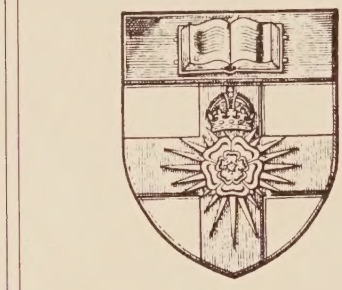

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B I L L S,

PUBLIC:

TEN VOLUMES.

—(7.)—

MIDLAND RAILWAY COMPANY (RATES AND CHARGES) PROVISIONAL ORDER

TO

POST OFFICE ACTS AMENDMENT.

Session

25 *November* 1890 —— 5 *August* 1891.

VOL. VII.

BILLS:

1890–91.

TEN VOLUMES:—CONTENTS OF THE

SEVENTH VOLUME.

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A

B I L L

TO

Confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Midland Railway Company, and certain other Railway Companies connected therewith. A.D. 1891.

WHEREAS under the Railway and Canal Traffic Act, 1888, the Board of Trade have embodied in the Provisional Order, set out in the schedule to this Act annexed, the classification of merchandise traffic and schedule of maximum rates and charges, including all terminal charges which, in the opinion of the Board of Trade, ought to be adopted by the Midland Railway Company, and the railway companies connected therewith, which are mentioned in the schedule to the said Provisional Order: 51 & 52 Vict. c. 25. s. 24.

And whereas it is expedient that the said Provisional Order, as set out in the schedule to this Act annexed, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Midland Railway Company (Rates and Charges) Order Confirmation Act, 1891. Short title.

2. The Order, as set out in the schedule to this Act annexed, shall be and the same is hereby confirmed, and all the provisions of the said Order in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and effect. Confirmation of Order in schedule.

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Midland Railway Company.

SCHEDULE.

MIDLAND RAILWAY COMPANY.

Order of the Board of Trade under the Railway and Canal Traffic Act, 1888, embodying the classification of merchandise traffic and the authorised schedule of maximum rates and charges, including all terminal charges applicable to the said classification of the Midland Railway Company, and certain other railway companies connected therewith.

Short title.

1. This Order may be cited as the Midland Railway Company (Rates and Charges) Order, 1891.

Commencement.

2. This Order shall come into force and have effect upon the day when the Act confirming this Order is passed, which date is in this Order referred to as the commencement of this Order.

Interpretation.

3. This Order is to be read and construed subject in all respects to the provisions of the Railway and Canal Traffic Acts, 1873 and 1888, and of any other Acts or parts of Acts incorporated therewith, and the several words, terms, and expressions to which by the said Acts meanings are assigned shall have, in this Order, the same respective meanings.

Schedule of maximum rates and charges.

4. From and after the commencement of this Order the maximum rates and charges which the Midland Railway Company, and the railway companies connected therewith mentioned in the Appendix to the schedule to this Order in respect of railways mentioned in the said Appendix, shall be entitled to charge and make in respect of merchandise traffic on the railways of the said companies, shall be the rates and charges specified in the schedule to this Order annexed, and shall be subject to the classification, regulations, and provisions set forth in the said schedule.

A.D. 1891.

Midland Railway Company.

Schedule of Maximum Rates and Charges, and Classification of Merchandise Traffic applicable to the Midland Railway Company and certain other Companies connected therewith.

I.—Maximum Rates and Charges.

Division of schedule.

1. This schedule of maximum rates and charges shall be divided into six parts: Part I., containing the maximum rates and charges authorised in respect of the merchandise comprised in the several classes of merchandise specified in the classification. Part II. and Part III., containing the maximum rates and charges authorised in respect of animals and carriages as therein mentioned. Part IV., specifying the exceptional charges mentioned in such part, and the circumstances in which they may be made. Part V., containing the rates and charges authorised in respect of perishable merchandise by passenger train, with the provisions and regulations which are to apply to such class of merchandise; and Part VI., containing the rates and charges authorised in respect of small parcels by merchandise train, with the provisions and regulations which are to apply to such parcels.

Maximum conveyance rates.

2. The maximum rate for conveyance is the maximum rate which the Company may charge for the conveyance of merchandise by merchandise train; and, subject to the exceptions and provisions specified in this schedule, includes the provision of trucks by the Company. Provided that—

(*a.*) The provision of trucks is not included in the maximum rates applicable to merchandise included in Class A. of the classification, or to lime or lias lime in bulk, or salt in bulk.

(*b.*) Where, for the conveyance of merchandise other than merchandise included in Class A. of this classification, or lime or lias lime in bulk, or salt in bulk, the Company do not provide trucks, the charge authorised for conveyance shall be reduced by a reasonable sum, which shall, in case of difference between the Company and the person liable to pay the charge, be determined by an arbitrator to be appointed by the Board of Trade.

Maximum station terminal.

3. The maximum station terminal is the maximum charge which the Company may make to a trader for the use of the accommodation (exclusive of coal drops) provided, and for the duties undertaken for which no other provision is made in this schedule by the Company, at the terminal station for or in dealing with merchandise, as carriers thereof, before or after conveyance.

Maximum service terminals.

4. The maximum service terminals are the maximum charges which the Company may make to a trader for the following services, when rendered to or

Midland Railway Company.

for a trader, that is to say, loading, unloading, covering, and uncovering merchandise, which charges shall, in respect of each service, be deemed to include all charges for the provision by the Company of labour, machinery, plant, stores, and sheets. Provided that—

Where merchandise conveyed in a separate truck is loaded or unloaded elsewhere than in a shed or building of the Company, the Company may not charge to a trader any service terminal for the performance by the Company of any of the said terminal services if the trader has requested the Company to allow him to perform the service for himself and the Company have unreasonably refused to allow him to do so. Any dispute between a trader and the Company in reference to any service terminal charged to a trader who is not allowed by the Company to perform for himself the terminal service, shall be determined by the Board of Trade.

Special charges.

5. The Company may charge for the services hereunder mentioned, when provided for or rendered to a trader at his request or for his convenience, such reasonable sums, by way of addition to the tonnage rate, as shall, in case of difference between the Company and the person liable to pay the charge, be determined by an arbitrator to be appointed by the Board of Trade. Provided that where before any service is provided for or rendered to a trader he has given notice in writing to the Company that he does not require it, the service shall not be deemed to have been provided or rendered at the trader's request or for his convenience.

(i.) Services rendered by the Company at or in connexion with sidings not belonging to the Company, and services in respect of the delivery and reception of merchandise to and from such sidings.

(ii.) The collection or delivery of merchandise outside the terminal station.

(iii.) Weighing merchandise.

(iv.) The detention of trucks, or the use or occupation of any accommodation, before or after conveyance, beyond such period as shall be reasonably necessary for enabling the Company to deal with the merchandise as carriers thereof, or the consignor or consignee to give or take delivery thereof; or, in cases in which the merchandise is consigned to an address other than the terminal station beyond a reasonable period from the time when notice has been delivered at such address that the merchandise has arrived at the terminal station for delivery. And services rendered in connexion with such use and occupation.

(v.) Loading or unloading, covering or uncovering merchandise comprised in Class A. or Class B. of the classification.

(vi.) The use of coal drops.

Charges for use of trucks.

6. The Company may charge for the use of the trucks provided by them for the conveyance of merchandise, when the provision of trucks is not

included in the maximum rates for conveyance, any sums not exceeding the following:—

	s.	d.	
For distances not exceeding 25 miles - - -	0	3	per ton.
For distances exceeding 25 miles, but not exceeding 50 miles - - - - - -	0	6	per ton.
For distances exceeding 50 miles, but not exceeding 75 miles - - - - - -	0	9	per ton.
For distances exceeding 75 miles, but not exceeding 150 miles - - - - - -	1	0	per ton.
For distances exceeding 150 miles - - -	1	3	per ton.

II.—Provisions as to Fixing Rates and Charges.

Calculation of distance.

7. In calculating the distance along the railway for the purpose of the maximum charge for conveyance of any merchandise, the Company shall not include any portion of their railway which may, in respect of that merchandise, be the subject of a charge for station terminal.

Charges for short distance.

8. Where merchandise is conveyed for an entire distance which does not exceed in the case of merchandise in respect of which a station terminal is chargeable at each end of the transit three miles, or in the case of merchandise not so chargeable six miles, the Company may, except as herein-after specially provided, make the charges for conveyance authorised by this schedule as for three miles or six miles respectively.

Provision against overlapping of charges.

9. Where the distance exceeds 20 miles the Company shall not be compelled to charge a less sum than the maximum charge would have been if the distance had been 20 miles; where the distance exceeds 50 miles the Company shall not be compelled to charge a less sum than the maximum charge would have been if the distance had been 50 miles; where the distance exceeds 75 miles the Company shall not be compelled to charge a less sum than the maximum charge would have been if the distance had been 75 miles; where the distance exceeds 100 miles the Company shall not be compelled to charge a less sum than the maximum charge would have been if the distance had been 100 miles; where the distance exceeds 150 miles the Company shall not be compelled to charge a less sum than the maximum charge would have been if the distance had been 150 miles; and where the distance exceeds 200 miles the Company shall not be compelled to charge a less sum than the maximum charge would have been if the distance had been 200 miles.

Minimum truck loads.

10. For any quantity of merchandise less than a truck load which the Company either receive or deliver in one truck, on, or at a siding not belonging to the Company, or which, from the circumstances in which the merchandise is tendered, or the nature of the merchandise, the Company are required to carry

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Midland Railway Company.

in one truck, the Company may charge as for a reasonable minimum load, having regard to the nature of the merchandise.

Charges for fractions of tons and hundredweights.

11. Where a consignment by merchandise train is over three hundredweight and under five tons in weight, a fraction of a quarter of a hundredweight may be charged for as a quarter of a hundredweight; and where a consignment by merchandise train is over five tons in weight, a fraction of a quarter of a ton may be charged for as a quarter of a ton.

Charges for fractions of a mile and of quarters of a mile.

12. For a fraction of a mile the Company may charge according to the number of quarters of a mile in that fraction, and a fraction of a quarter of a mile may be charged for as a quarter of a mile.

Fractions of a penny.

13. For a fraction of a penny in the gross amount of rates and charges for any consignment for the entire distance carried, the Company may demand a penny.

Weight to be avoirdupois weight.

14. Weight (except as to stone and timber when charged by measurement) shall be determined according to the imperial avoirdupois weight.

Calculation of weight of stone.

15. All stone shall be charged at actual weight, when the weight can be conveniently ascertained. When the actual weight of stone in blocks cannot be conveniently ascertained, 14 cubic feet of stone in blocks may be charged for as one ton, and smaller quantities may be charged for in the like proportion.

Measurement of timber.

16. When timber is charged by measurement weight, 40 cubic feet of oak, mahogany, teak, beech, greenheart, hickory, ironwood, baywood, or other heavy timber, and 50 cubic feet of poplar, larch, fir, or other light timber may be charged for as one ton, and smaller quantities may be charged for in the like proportion. The cubic contents of timber charged by measurement weight shall be ascertained by the most accurate mode of measurement in use for the time being.

Aggregate quantities.

17. Articles sent in large aggregate quantities, although made up of separate parcels, such as bags of sugar, coffee, and the like, shall not be deemed to be small parcels.

III.—Miscellaneous.

Saving as to things not yet classified.

18. In respect of any merchandise or article of any description which is not specified in the classification, the Company may, unless and until such merchandise or article is duly added to this classification and schedule pursuant to subsection eleven of section twenty-four of the Railway and Canal Traffic Act, 1888, make the charges which are by this Schedule authorised in respect of merchandise and things in Class 3.

Saving as to agreements.

19. Nothing herein contained shall prevent the Company from making and receiving, in addition to the charges specified in this Schedule, charges and payments, by way of rent or otherwise, for providing sidings or other structural accommodation for the private use of traders, and not required by the Company

for dealing with the traffic for the purposes of carriage, provided that the amount of such charges or payments is fixed by an agreement, in writing, signed by the trader, or by some person duly authorised on his behalf.

Saving as to dock and shipping charges.

20. Nothing herein contained shall affect the right of the Company to make any charges which they are authorised by any Act of Parliament to make in respect of any accommodation or services provided or rendered by the Company at or in connexion with docks or shipping places.

Returned empties.

21. Returned empties, if from the same station and consignee to which and to whom they were carried full, to the same station and consignor from which and from whom they were carried full, shall be deemed to be included in the same class of the classification as comprises the merchandise which was carried in them when full, but the maximum rates and charges in respect of such returned empties shall not exceed seventy-five per cent. of the maximum rates and charge for the said class of merchandise.

Empty trucks.

22. Where merchandise is conveyed in a trader's truck, the Company shall not make any charge in respect of the return of the truck empty, provided that the truck is returned empty from the consignee and station or siding to whom and to which it was consigned loaded direct to the consignor and station or siding from which it was so consigned.

Rates and charges of companies using the railway.

23. Any railway company (other than the Company) conveying merchandise on the railway, or performing any of the services for which rates or charges are authorised by this schedule, shall be entitled to charge and make the same rates and charges as the Company are by this schedule authorised to make.

Arbitration.

24. The Board of Trade Arbitrations, &c. Act, 1874, shall, so far as applicable, apply to every determination of a difference or question by arbitration under the provisions herein contained.

Definitions.

25. In this schedule, unless the context otherwise requires :—

The term "the company" means a railway company to which this schedule applies;

The term "the railway" means any railway or steam tramway over which the Company conveys merchandise, and in respect of which no maximum rates and charges other than those authorised in this schedule are for the time being authorised by Parliament;

The term "merchandise" includes goods, cattle, live stock, and animals of all descriptions;

The term "the classification" means the classification of goods annexed to this schedule;

The term "trader" includes any persons sending or receiving, or desiring to send merchandise by the railway;

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Midland Railway Company.

The term "terminal station" means a station or place upon the railway at which a consignment of merchandise is loaded or unloaded before or after conveyance on the railway, but does not include any station or junction at which the merchandise in respect of which any terminal is charged has been exchanged with, handed over to, or received from any other railway company, or a junction between the railway and a siding not belonging to the Company, or any station with which such siding may be connected, or any dock or shipping place the charges for the use of which are regulated by Act of Parliament.

The term "person" includes a company or body corporate.

Saving as to conveyance by passenger trains.

26. The foregoing provisions shall, so far as applicable, apply to merchandise when conveyed by passenger train under Part V.; but save as aforesaid and so far as is provided by Part V., nothing herein contained shall apply to the conveyance of merchandise by passenger trains, or to the charges which the company may made therefor.

Application of schedule.

27. This schedule shall apply to the Midland Railway Company, and the other companies mentioned in the Appendix hereto so far as relates to the railways therein specified.

APPENDIX.

A.D. 1891.

Midland Railway Company.

COMPANIES TO WHICH THIS SCHEDULE APPLIES.

The Great Northern Railway Company in respect of the following joint Railways, viz. :—

Bourn and Lynn Railway and Spalding Junctions.
Peterborough, Wisbech, and Sutton Bridge Railway.
Newark Curve.
Railway from Little Bytham to Bourn.

The North-Eastern Railway Company in respect of the Otley and Ilkley and the Swinton and Knottingley Joint Railways.

The Great Western Railway Company in respect of the Bristol Port Railway and the Halesowen Railway.

The Halesowen Railway Company in respect of the Halesowen Railway.

The Furness Railway Company in respect of the Furness and Midland Joint Railways.

The Kettering, Thrapstone, and Huntingdon Railway Company in respect of the Kettering, Thrapstone, and Huntingdon Railway.

The Barnoldswick Railway Company in respect of the Barnoldswick Railway.

The Cannock Chase and Wolverhampton Railway Company in respect of the Cannock Chase and Wolverhampton Railway.

The Sutton Bridge Dock Company in respect of the railways forming part of the undertaking.

MAXIMUM RATES

PART I.—GOODS

In respect of Merchandise comprised in the undermentioned Classes.	Maximum Rates for									
	For a Consignment of not less than 250 Tons tendered for Delivery to the Company at one Time for Delivery at one Time and Place to one Consignee.					For a Consignment less than 250 Tons, but not less than 10 Tons, tendered for Delivery to the Company at one Time for Delivery at one Time and Place to one Consignee.				
	For any Distance not exceeding 20 Miles.	For any Distance exceeding 20 Miles, but not exceeding 50 Miles.	For any Distance exceeding 50 Miles, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles, but not exceeding 150 Miles.	For any Distance exceeding 150 Miles.	For any Distance not exceeding 20 Miles	For any Distance exceeding 20 Miles, but not exceeding 50 Miles.	For any Distance exceeding 50 Miles, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles, but not exceeding 150 Miles.	For any Distance exceeding 150 Miles.
	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.
	d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
A.	1·00	0·85	0·60	0·50	0·40	1·10	0·95	0·70	0·60	0·45
B.	1·15	1·05	0·90	0·75	0·65	1·20	1·10	0·95	0·80	0·70
C.						1·75	1·65	1·35	1·10	0·95
1.						2·15	2·00	1·75	1·50	1·20
2.										
3.										
4.										
5.										

AND CHARGES.

AND MINERALS.

Conveyance.					Maximum Terminals.					
For other Consignments except as otherwise provided in the Schedule.						Service Terminals.				
For any Distance not exceeding not 20 Miles.	For any Distance exceeding 20 Miles, but not exceeding 50 Miles.	For any Distance exceeding 50 Miles, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles, but not exceeding 150 Miles.	For any Distance exceeding 150 Miles.	Station Terminal at each End.	Loading.	Unloading.	Covering.	Uncovering.	
Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	
d.	*d.*	*d.*	*d.*	*d.*	*s. d.*	*s. d.*	*s. d.*	*d.*	*d.*	
1·15	1·05	0·75	0·65	0·50	0 3	—	—	—	—	A.
1·25	1·15	1·00	0·85	0·75	0 6	—	—	—	—	B.
1·80	1·70	1·45	1·25	1·00	1 0	0 3	0 3	1	1	C.
2·20	2·05	1·80	1·55	1·30	1 6	0 5	0 5	1·50	1·50	1.
2·65	2·50	2·20	2·00	1·60	1 6	0 8	0 8	2	2	2.
3·10	2·90	2·50	2·10	1·95	1 6	1 0	1 0	2	2	3.
3·60	3·45	3·00	2·55	2·25	1 6	1 4	1 4	3	3	4.
4·30	4·05	3·65	3·25	3·00	1 6	1 8	1 8	4	4	5.

A.D. 1891.

Midland Railway Company.

MAXIMUM RATES AND CHARGES—*continued*.

PART II.—ANIMAL CLASS.

Description.	Rate for Conveyance per Mile.				Station Terminal at each End.	Service Terminals.		Minimum Total Charge.
	For any Distance not exceeding 20 Miles.	For any Distance exceeding 20, but not exceeding 50 Miles.	For any Distance exceeding 50, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles.		Loading.	Unloading.	
	d.	*d.*	*d.*	*d.*	*s. d.*	*s. d.*	*s. d.*	*s. d.*
For every horse, mule, or other beast of draught or burden -	3	3	2·50	2	0 6	0 4	0 4	2 6
For every ox, cow, bull, or head of neat cattle - - -	2	2	1·75	1·50	0 4	0 3	0 3	2 6
For every calf not exceeding 12 months old, pig, sheep, lamb, or other small animal - - - - - -	0·75	0·75	0·50	0·50	0 2	0 1·50	0 1·50	2 6
For every animal of the several classes above enumerated conveyed in a separate carriage, by direction of the consignor, or from necessity - - - - - -	6	6	6	6	1 6	1 0	1 0	5 0
For any consignment by the same person of not more than six oxen, cows, or neat cattle, or than nine calves not exceeding twelve months old, or than twenty-five sheep, goats, or pigs - - - - - -	6	5·50	5·25	4·75	1 0	0 6	0 6	5 0
For any consignment by the same person of more than six and not more than nine oxen, cows, or neat cattle, or more than nine and not more than fourteen calves not exceeding twelve months old, or more than twenty-five and not more than thirty-five sheep, goats, or pigs - - - - - -	7	6·50	6·00	5·25	1 0	0 9	0 9	5 0
For each truck containing any consignment by the same person of more than nine oxen, cows, or neat cattle, or than fourteen calves not exceeding twelve months old, or than thirty-five sheep, goats, or pigs - - - - - -	8	7·50	7·00	6·25	1 0	1 0	1	5 0

The terminal charges on animals sent by the same person at a rate calculated per head, and carried in the same truck, shall in no case exceed the terminal charges per truck.

Where the Company is required to cleanse and does cleanse trucks under the provision of any Order in Council, or duly authorised regulation of any Department of State, they may make a charge not exceeding one shilling per truck in addition to the charges herein authorised.

Maximum Rates and Charges—*continued.*

Part III.—Carriages.

Description.	Rate for Conveyance.				Station Terminal at each End.	Service Terminals.			
	For any Distance not exceeding 20 Miles.	For any Distance exceeding 20, but not exceeding 50 Miles.	For any Distance exceeding 50, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles.		Loading.	Unloading.	Covering.	Uncovering.
	Per Mile.	Per Mile.	Per Mile.	Per Mile.					
	d.	*d.*	*d.*	*d.*	*s. d.*		*d.*		
For every carriage of whatever description not included in the classification, and not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform - - -	6	6	5	4	1 0	6			
For every additional quarter of a ton which such carriage may weigh -	2	2	1·75	1·50					
For the use of a covered carriage truck for the conveyance of any such carriage - - - -	An additional charge of ten shillings.								

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MAXIMUM RATES AND CHARGES—*continued.*

PART IV.—EXCEPTIONAL CLASS.

Description.	Charge.
For articles of unusual length, bulk, or weight, or of exceptional bulk in proportion to weight -	Such reasonable sum as the Company may think fit in each case.
For articles requiring an exceptional truck, or more than one truck, or a special train - -	
For locomotive engines and tenders, and railway vehicles running on their own wheels - -	
For any wild beast, or any large animal not otherwise provided for - - - -	
For dangerous goods - - - -	
For specie, bullion, or precious stones - -	
For any accommodation or services provided or rendered by the Company within the scope of their undertaking by the desire of a trader, and in respect of which no provisions are made by this schedule - - - - -	

PART V.—PERISHABLE MERCHANDISE BY PASSENGER TRAINS.

The following provisions and regulations shall be applicable to the conveyance of perishable merchandise by passenger train:—

1. The Company shall afford reasonable facilities for the expeditious conveyance of the articles enumerated in the three divisions set out hereunder (which articles are herein-after called "Perishables"), either by passenger train or by other similar service.

2. Such facilities shall be subject to the reasonable regulations of the Company for the convenient and punctual working of their passenger train service, and shall not include any obligation to convey perishables by any particular train.

3. The Company shall not be under obligation to convey by passenger trains, or other similar service, any merchandise other than perishables.

4. Any question as to the facilities afforded by the Company under these provisions and regulations shall be determined by the Board of Trade.

5. Where a consignment is less than two hundredweight, the Company may charge as for two hundredweight.

DIVISION I.

Division II.

Butter (fresh).
Cheese (soft).
Cream.
Eggs.
Fish—
Char.
Grayling.
Lobsters.
Mullet.
Oysters.
Prawns.
Salmon.
Fish—
Soles.
Trout.
Turbot.
Whitebait.
Fruit—
Hothouse fruit.
Game (dead).
Meat (fresh).
Poultry (dead).
Rabbits (dead).
Vegetables (hothouse).

Division III.

Fish (except as provided in Division II.).
Fruit (except as provided in Division II.).
Ice.

Maximum rates and charges for the three divisions—

Division I.

Rate for Conveyance.					Station Terminal at each End.	Service Terminals.	
For any Distance not exceeding 20 Miles.	For any Distance exceeding 20, but not exceeding 50 Miles.	For any Distance exceeding 50, but not exceeding 75 Miles.	For any Distance exceeding 75, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles.		Loading.	Unloading.
Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Can.	Per Can.	Per Can.
d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
0·75	0·90	1·00	1·25	1·50	1·50	1·00	1·00
EMPTY CANS.							
Per Can.	Per Can.	Per Can.	Per Can.	Per Can.			
d.	*d.*	*d.*	*d.*	*d.*			
1·50	2·00	2·25	2·50	3·00		0·50	0·50

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Rate for Conveyance.					Station Terminal at each End.	Service Terminals.	
For any Distance not exceeding 20 Miles.	For any Distance exceeding 20, but not exceeding 50 Miles.	For any Distance exceeding 50, but not exceeding 100 Miles.	For any Distance exceeding 100, but not exceeding 200 Miles.	For any Distance exceeding 200 Miles.		Loading.	Unloading.
Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt.	Per Cwt.	Per Cwt.
			DIVISION II.				
d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
0·60	0·55	0·40	0·25	0·20	0·75	0·75	0·75
			DIVISION III.				
d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
0·40	0·35	0·25	0·20	0·15	0·75	0·50	0·50

PART VI.—CARRIAGE OF SMALL PARCELS BY MERCHANDISE TRAINS.

1. For the carriage of small parcels, not exceeding in weight three hundredweight, the Company may charge, in addition to the maximum rates for conveyance, and the maximum station and service terminals, authorised in respect of Classes 1 to 5 of the Classification, which rates and charges are in this Part together referred to by the expression "the maximum tonnage charge," the following:—

Authorised additional charge per Parcel.	—	Per Ton.	—	Per Ton.
s. *d.*		*s.* *d.*		*s.* *d.*
0 6	When the maximum tonnage charge does not exceed - - -	10 0	- - -	—
0 8	When the maximum tonnage charge exceeds - - - -	10 0	but does not exceed -	20 0
0 10		20 0		30 0
1 0		30 0		40 0
1 2		40 0		50 0
1 4		50 0		60 0
1 6		60 0		70 0
1 8		70 0		80 0
1 10		80 0		90 0
2 0		90 0	- - -	—

2. Where, for a small parcel exceeding in weight three hundredweight, the maximum tonnage charge comes to less than the Company are authorised, according to the above table, to charge for a parcel of three hundredweight in weight, the Company may charge for such parcel as if its weight was three hundredweight and no more.

3. For a small parcel of less than 28 pounds in weight the Company may charge as for a parcel of 28 pounds in weight.

4. For a fraction of 14 pounds in weight the Company may charge as for 14 pounds weight.

5. Any small parcel (other than a parcel of mixed groceries) containing articles belonging to different classes of the classification, shall be chargeable with the maximum tonnage charge applicable to the highest of the classes.

6. If the consignor of a small parcel declines, on demand by the Company, to declare to the Company the nature of the contents of the small parcel before or at the time when the same is delivered to the Company for conveyance, the Company may charge for the parcel as if it was wholly composed of articles comprised in Class 5 of the classification.

CLASSIFICATION OF MERCHANDISE TRAFFIC.

Where in this List the Letters "e.o.h.p." are placed after the Designation of any Article they mean "except otherwise herein provided."

Class A.

Applicable to Consignments of Four Tons and upwards.

Basic slag, unground.
Cannel.
Chalk in the rough, for agricultural purposes.
Cinders, coal.
Clay, in bulk, e.o.h.p.
Coal.
Coke.
Coprolites and rock phosphate, unground.
Creosote, coal-tar, gas-tar, gas-water, in owners tank waggons.
Culm.
Gannister.
Gas-lime or gas purifying refuse.
Gravel.
Hammer scale.
Iron ore.
Iron pyrites, unburnt and burnt.
Ironstone.
Limestone, in bulk.
Manganiferous iron ore, for iron-making.
Manure, street, stable, farmyard, in bulk.
Night soil.
Purple ore.
Sand.
Slack.
Slag or scoria, blast furnace.
Stone and undressed material, for the repair of roads.
Stone, wholly undressed straight from a quarry.
Tap or mill cinder.
Waste sulphate of lime.

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Class B.

Applicable to Consignments of Two Tons and upwards.

Alabaster stone, in lumps, unground.
Ammoniacal liquor.
Antimony ore waste.
Asphalte paving, in blocks.
Barytes, raw, in bulk.
Basic material, burnt limestone, in bulk, to steel converters.
Basic slag, ground, packed.
Blooms, billets or ingots, iron or steel.
Bog ore, for gas purifying.
Bricks, clay, common and fire.
Bricks, crushed.
Cement, in blocks or slabs.
Cement stone.
Chalk lime.
China clay, in bulk.
Coal fuel, patent.
Compost, for manure.
Concrete, in blocks or slabs.
Copperas, green, in bulk.
Coprolites and rock phosphate, ground.
Creosote, coal-tar, gas-tar, gas-water, e.o.h.p.
Draff, or brewers and distillers grains.
Ferro-Manganese, in bulk.
Furnace lamps.
Furnace scrapings.
Gas-carbon.
Granite, in blocks, rough or undressed.
Gravel, tarred, for paving.
Gypsum, for manure.
Gypsum stone, in lumps, unground.
Iron and steel, undamageable.

The following articles of iron or steel if and when declared by a trader to be undamageable:—

Anchors.
Angle bars, or plates.
Anvil blocks and cups.
Anvils.
Anvils, hammers, and standards, for steam hammers.
Axle box guides, in the rough, for locomotives.
Axle forgings, in the rough.
Axles, in the rough.
Axles and wheels (railway carriage, railway waggon, tram, or corve).
Bar, puddled.
Bar.
Beams.
Bearers.
Binders.
Bolts and nuts.
Boot protectors.
Bridgework—
Cantilevers.
Cross and longitudinal girders.
Floor plates.
Girders, whole or in part.
Joists.
Lattice bars.
Screw and other piles, both hollow and solid.
Struts and ties.
Bundles of bars.
Buoy sinkers.
Caissons.
Cannon balls and shot, and shells not charged.
Cart bushes.
Chain cables.
Chains and traces, not packed.
Clippings, shearings, and stampings of sheet iron and tin plates, in compressed bundles.
Colliery tubbing.
Columns.
Corrugated iron.
Crowbars.
Curbing, for roadways.
Cylinders, not turned, drilled, planed, or slotted.
Engine bed plates.

Ferro-Manganese, e.o.h.p.
Filings.
Galvanised iron.
Gasometer sheets.
Girders.
Girder bars.
Granulated iron.
Gratings (man-hole, drain, pavement, area, or floor).
Hammer heads, in the rough.
Heater bottoms.
Helves, or tilt hammers.
Hoop iron.
Hoop steel.
Hoops, iron.
Hoops, weldless, in the rough.
Horn blocks, in the rough, for locomotives.
Housings, chocks, standards, plain bed plates, pinions, coupling boxes, and spindles, for rolling mills.
Ingot moulds.
Lamp posts.
Mortar mill rolls.
Nail rods and sheets.
Nails and spikes.
Pickblocks or pickheads, in the rough.
Pipes (exclusive of rain water pipes), gas, water, air, and steam.
Pipes, for blast furnaces.
Plates—
  Annealing.
  Armour.
  Black, in boxes, or not packed.
  Boiler.
  Furnace.
  Hoe-head, in the rough.
  Open sand, cast.
  Plough, in the rough.
  Railway fish.
  Rough flooring.
  Ships.
  Shovel.
  Tank.
Press tops and bottoms, unfinished.
Railway carriage and waggon work.
Railway chairs.
Railway points, crossings, or joints.
Railway rails.
Retorts, retort lids, and retort mouthpieces, in the rough.
Rivets.
Rods, common.
Rods (wire), rolled, not drawn.
Rolls, turned or unturned, not polished or packed.
Roofwork—
  Bed plates.
  Gutters.
  Rafters.
  Struts and ties or tie rods.
  Tun shoes for principals.
  Wind ties—
    Principals.
    Purlins.
  Wrought or cast-iron sky bars.
Scrap, heavy.
Shafts, for driving mill wheels, unfinished.
Sheet iron, not packed.
Shoe tips.
Sleepers.
Spiegeleisen, e.o.h.p.
Standards for hurdles, packed.
Strips, not packed.
Swarf.
Telegraph posts.
Telegraph stores—
  Blacked iron (cast) ridge chairs.
  Galvanised and blacked earth plates, in bundles.
  Galvanised and blacked iron loop rods.
  Galvanised and blacked screw tighteners, packed.
  Galvanised and blacked stay rods, in bundles.
  Galvanised and blacked stay tighteners.
  Iron poles, roofs or caps.

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Telegraph stores—*cont.*
Malleable cast-iron brackets, galvanised, packed.
Tiles (roofing), painted, galvanised, or enamelled.
Tip iron.
Trawl heads.
Trunnions, unfinished.
Tubes and fittings for (except electro-coppered or coated with brass).
Tyres and tyre bars, in the rough.
Wall boxes.
Wall brackets.
Weights.
Wire (iron), not packed or wrappered.
Wire iron, rolled in rods or coils, not packed.
Wire (steel), not packed or wrappered.
Wire rope, old, cut in pieces.
Iron ore refuse for gas purifying.
Kainit.
Lead ashes, in bulk.
Lias lime, in bulk.
Lime, in bulk.
Litter (moss or peat), hydraulic or steam press packed.
Loam.
Manganese ore.
Mangel wurzel, in bulk, for feeding cattle.
Manure, other than street, stable, and farmyard, in bulk.
Peat.
Pig-iron.
Pipes, draining, common, for agricultural draining.
Pitch, coal tar, in blocks.
Plaster-stone, in lumps, unground.
Posts, iron or steel, for wire fencing.
Potsherds.
Puddled bar, iron.
Quarls.
Rock salt.
Salt, in bulk.
Skimmings, flux, lead, tin, or zinc.
Slates, common.
Slate slabs, in the rough.
Spar, in the rough, in bulk.
Spiegeleisen, in bulk.
Stone, in the rough state, building, pitching, paving, kerb, or flag.
Sud-cake manure.
Sugar-scum, for manure.
Sulphate of potash.
Sulphur ore.
Tan or spent bark.
Tiles, paving, draining, roofing, or garden edging, common.
Turf.
Turnips, in bulk, for cattle feeding.
Zinc ashes.
Zinc ore.

Merchandise comprised in Class A. if sent in quantities of less than 4 tons.

CLASS C.

APPLICABLE to CONSIGNMENTS of TWO TONS and upwards.

Acetate of lime.
Algarovilla.
Algerian fibre, hydraulic or steam press packed.
Alum.
Alum cake.
Alum waste.
Alumina, hydrate of, or bauxite.
Alumina water.
Aluminoferric.
Aluminosilic.
Antichlorine.

Antimony ore.
Arseniate of soda.
Arsenic.
Asphaltum.
Barium, Chloride of, in casks.
Bark for tanning, chopped, packed in bags.
Barley, pot and pearl.
Barytes, ground, in casks or bags.
Bicarbonate of soda, in casks.
Bisulphite of soda.
Blanc-fixe (ground barytes with water added, for glazing paper).
Bleaching powder.
Blood, for manure, in casks.
Bobbin blocks.
Bone ash.
Bone waste.
Bones, calcined.
Bones, for size or manure.
Break blocks.
Bricks, clay, glazed, or enamelled.
Bricks, Flanders or scouring.
Brimstone, crude or unmanufactured.
Burrstones.
Cabbages, loose, in bulk.
Cake, for cattle feeding.
Carbonate of lime.
Carbonate of soda, or soda crystals.
Carrots.
Caustic soda.
Cement.
Chair bottoms, wooden, in the rough.
Chalk, ground.
Charcoal, packed.
Chertstone.
China clay, packed.
China grass, hydraulic or steam press packed.
China stone.
Chloride of calcium.
Chromate ore.
Clay, in bags or casks.
Clips, cotton tie, packed.
Clog blocks, rough.
Copper ore.
Copperas, green, e.o.h.p.
Cotton waste, for paper-making, hydraulic or steam press packed.
Cullet (or broken glass).
Cutch.
Divi divi.
Dog, hen, and other pures or bates, in barrels or bags.
Drain pipes, glazed, e.o.h.p.
Dross, metal.
Dyewoods—
Barwood.
Fustic wood.
Lima wood.
Logwood.
Nicaragua wood.
Earth, red.
Earth nuts, or ground nuts.
Emery stone.
Ensilage.
Esparto grass, hydraulic or steam press packed.
Extracts, in casks or boxes, for tanners use.
Farina, e.o.h.p.
Felloes, naves, and spokes.
Fenugreek seeds.
Flax straw, steam or hydraulic press packed.
Flax waste, for paper-making, hydraulic or steam press packed.
Fleshings and glue pieces, wet, from tanners, in casks.
Flints, e.o.h.p.
Flour.
Flue linings or flue pipes, fire clay.
Forgings, iron or steel, in the rough, e.o.h.p.
Fullers earth.
Furniture vans, returned empty, if from the same station and consignee to which and to whom they were carried full, to the same station and consignor from which and from whom they were carried full.
Gambier and terra japonica.

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Glass, ground.
Glaze, potters, in casks.
Grain.
Grain list :—
Barley.
Beans, e.o.h.p.
Bran.
Brank or buckwheat.
Dari.
Dills.
Groats.
Gurdgeons
Hominy.
Indian corn
Lentils.
Linseed.
Locusts or charubs.
Maize.
Malt.
Malt culms or cummings.
Meal.
Middlings.
Millett.
Oat dust.
Oats.
Peas, dried or split.
Pollards or thirds.
Rice points or husks.
Rye.
Sharps or seconds.
Shelling.
Shudes.
Tares.
Vetches.
Wheat.
Grindstones, in the rough.
Grit in bags (for sawing stone).
Guano.
Guide plates or ramps, iron or steel.
Gypsum, e.o.h.p.
Hay, hydraulic or steam press packed.
Heads and staves, prepared, for casks.
Hoof and horn waste, e.o.h.p.
Horn piths or sloughs.
Horse-shoe bars, iron.
Hygeian rock building composition, in bags or casks.
Infusorial earth or diatomite.
Iron and steel, damageable. 5

All the articles included in the undamageable iron or steel list if not declared by a trader to be undamageable, and the following articles :—
Axle boxes. 10
Dredger buckets and bucket backs.
Malt kiln flooring (iron wire) packed in cases.
Pans, annealing.
Plates— 15
Canada.
For glass rolling.
Tin.
Railway buffers, buffer heads, rods, and sockets. 20
Railway springs.
Railway spring steel.
Rings.
Scrap, iron, light—
Old hoops and cotton ties, not packed. 25
Old iron kettles, wire, pans, and pots, and other old articles having been manufactured out of sheet or hoop iron, or wire. 30
Sheet iron and tin plate clippings, shearings, and stampings.
Smith's hearths.
Standards for hurdles, not packed.
Tinned iron, in sheets, not packed. 35
Tram couplings.
Traps, sink and stench.
Keel bars.
Lead ore.
Lias lime, e.o.h.p. 40
Lime salt.
Linen waste, for paper-making, hydraulic or steam press packed.

Magnesia, rough oxide of, in cases or casks.
Magnesium, chloride of, in casks.
Manganate of soda, crude, in casks.
Mangel wurzel, e.o.h.p.
Manure, e.o.h.p.
Marble, in blocks, rough.
Marble chips, for pavement, in sacks.
Megass, hydraulic or steam press packed.
Mexican fibre, hydraulic or steam press packed.
Millstones, in the rough.
Mineral white.
Moulders black or dust.
Muriate of manganese.
Muriate of potash.
Myrabolams.
Netting, old, for paper-making.

Nitrate of soda.
Nitre cake.

Ochre.
Oil cake
Old sails and old tarpaulins, for paper-making.
Oxide of iron.

Palmetto leaf, hydraulic or steam press packed.
Parsnips.
Pearl hardening, for paper-making.
Pelts, wet, from tanners, in casks or bags.
Pig lead.
Pins, iron or steel.
Pipe clay.
Pitch, e.o.h.p.
Pitwood, for mining purposes.
Plaster.
Ploughshares, iron or steel, in the rough.
Plumbago ore.
Potatoes, in bulk or in sacks.
Pots, iron, for melting iron.
Pyrites, e.o.h.p.

Rags, not oily, hydraulic or steam press packed.
Railway cotters.
Railway keys, wooden.
Railway waggons and other railway vehicles, e.o.h.p., loaded in other waggons.
Rice.
Ridges (cement or stone), for roofing.
Ridges, slate.
Ropes, old, for paper-making.

Sago flour.
Salt, packed.
Salt cake.
Sand, glass and silver.
Sanitary tubes, e.o.h.p.
Sawdust.
Scouring rock.
Screw propeller blades.
Screws, wet, from tanners, in casks.
Seeds, for crushing for oil.
Shafts of screw propellers or paddle-wheels, iron or steel.
Shakings from cotton mills, for paper-making.
Shumac.
Silicate of soda.
Slag, glass (refuse from glass works).
Slate, ground for cement.
Slummage.
Soapstone.
Soda.
Soda ash.
Sole bars, wooden.
Sole plates, iron or steel, for steam hammers.
Soot.
Spar, ground.
Spelter, in plates or ingots.
Spetches, wet, from tanners, in casks.
Sticks, pea and bean.
Stone, sawn or roughly wrought-up, such as troughs or sinks.

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Straw, hydraulic or steam press packed.
Stucco, ground.
Sugar mats, old, for paper-making.
Sulphate of alumina.
Sulphate of ammonia.
Sulphate of copper, for export in 10-ton lots.
Sulphate of iron.
Sulphate of lime.
Sulphate of magnesia.
Sulphate of soda.
Sulphur, crude or unmanufactured.
Targets, iron or steel.
Terra alba.
Terra-cotta blocks and bricks.
Tiles, e.o.h.p.
Timber, actual machine weight.
Tow waste, hydraulic or steam press packed.
Trenails.
Troughs, earthenware and fire-clay.
Turnips, e.o.h.p.
Turn-tables, in part.
Umber.
Valonia.
Vegetable tar.
Washers, iron or steel.
Waste paper, for paper-making.
Whiting and whitening.
Wire (of iron or steel, including tinned or galvanised), in wrapped coils, or not otherwise packed.
Wolfram.
Wood fibre, hydraulic or steam press packed.
Wood pulp or half-stuff.
Wood turnings, for fish-curing.
Wooden blocks, for paving.
Zinc, white, or oxide of zinc.
Zinc, carbonate of.
Zinc ingots or plates.
Zinc sheets or rods.

Merchandise comprised in Class B. if sent in quantities of less than 2 tons.

Class 1.

Acetate of lead or sugar of lead.
Acetate of soda.
Acorns.
Ale and porter, in casks.
Ale and porter bottled, in cases or casks.
Algerian fibre, machine pressed.
Anthracene, crude, in casks.
Ashes, pot and pearl.
Axles and wheels, locomotive engine and tender.
Bagging, old, in bundles, for paper-making.
Bags, paper, in bags or bundles.
Barilla.
Bark, loose, for tanning.
Bars, roller, and bed plates for pulling rags.
Beds and cylinders of steam engines.
Benders (for rails) or jim crows.
Bichrome and bichromate of potash in casks.
Bichromite of soda, in casks.
Birch or ling, for besoms.
Biscuits, dog, in bags or casks.
Bisulphite of lime.
Black oil or black varnish, common, in casks.
Blistered steel.
Bloom trucks.
Boards and rollers (wooden) for drapers cloth and for folding paper.
Bogies, puddlers tap.
Bolt and nut machines.
Bones, packed.

Boring, drilling, planing, punching, shearing, and slotting machines (for metal work), including beds and tables.

Bottles and bottle stoppers, glass, black, green, or pale, common, packed.

Boundary posts (street), iron.

Box iron heaters.

Brattice cloth.

Brick-making machinery.

Bricks, air, cast-iron.

Broom and brush heads and blocks, wooden, without hair.

Builders implements, not new and consisting of mixed consignments of the following :—

- Barrows.
- Centerings.
- Crab winches.
- Hoists.
- Mortar boards.
- Mortar mills.
- Poling boards.
- Pulleys.
- Ropes.
- Scaffold boards.
- Steps.
- Struts.
- Trestles.
- Wheeling pieces.
- Wheeling planks.
- Windlasses.

Bullets, small-arms.

Buttermilk.

Cabbages, e.o.h.p., minimum 20 cwt. per waggon.

Candles, paraffin, tallow, and stearine.

Cannon.

Capstan bars.

Capstans and windlasses.

Carbonate of ammonia, in casks or iron drums.

Carbonate of potash, in casks.

Cardboard.

Castings, mill, forge, and other rough and heavy unfinished castings, iron or steel.

Castor oil, for lubricating machinery, in tins, packed in wooden cases.

Caustic potash.

Chaff, hydraulic or steam press packed.

Chairs and seats, garden, in parts, packed in cases.

Charcoal, e.o.h.p.

Chestnuts.

Chestnuts, extract of, for tanning purposes.

Chimney pieces, slate, not enamelled nor polished.

Chimney pots, earthenware or fire-clay.

China grass, machine pressed.

Chloride or muriate of zinc.

Cider and perry, not bottled, in casks.

Cider and perry, bottled, in cases or casks.

Clips (iron) for boxes.

Clog irons.

Clog soles.

Cloth oil and wool oil.

Codilla, in bales, hydraulic or steam press packed.

Cones, fir, in sacks or bags.

Copper precipitate.

Copper regulus.

Copperas, e.o.h.p.

Copra (or oil pulp of cocoanut), dried.

Cotton, raw, in press-packed bales.

Crab winches.

Cryolite.

Disinfecting powder.

Distilled water, in cases or casks.

Doors and door frames, iron or steel.

Drain pipes, glazed, over 18 inches in diameter.

Drums, iron or steel, for collieries.

Dunnage mats.

Dye liquor refuse, from print or dye works.

Dye woods, e.o.h.p.

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Dye woods, ground, in chips, in bags.
Esparto grass, machine pressed.
Extract of bark or wood, for tanning.
Farina, calcined.
Felt, asphalted roofing, or tarred felt, or tarred sheathing.
Fencing standards, iron, in concrete blocks.
Fern, for litter or packing, hydraulic or steam press packed.
Firewood, in bundles.
Fish—
Cod and ling, dried.
Cod and ling, thoroughly cured in brine.
Herrings, thoroughly cured in brine.
Red herrings, thoroughly cured.
All other fish, thoroughly salted or dried.
Cockles, limpets, mussels, whelks, and periwinkles.
Flax, in bales, hydraulic or steam press packed.
Flax straw, machine pressed.
Flax waste, for paper-making.
Fleshings and glue pieces, dry, in casks and bags.
Fleshings and glue pieces, wet, from tanners, not packed.
Flower sticks, wooden or cane, common.
Frames and bed plates, iron or steel, for timber sawing, boring, morticing, or planing machinery.
Frames, iron or steel, for targets.
Fruit, minimum 20 cwt. per waggon—
Apples.
Gooseberries.
Pears.
Fuel Economisers, iron or steel.
Ginger beer, in cases and casks.
Glass blocks, for pavement (fitted in iron frames),
Glucose.
Glue.
Goat skins, thoroughly salted or dry, in bales or bundles.
Granite, polished or dressed, in blocks or slabs, exceeding 2 ins. in thickness.
Grates, wooden, or wrought-iron, for purifying gas.
Grease, in casks.
Greaves.
Hair, wet, from tanneries.
Handles, broom, mop, rake, fork, spade, shovel, hammer, and pick.
Handspikes, wooden.
Haricot beans.
Hay, machine pressed, minimum 40 cwt. per waggon.
Headstocks, iron or steel, for collieries.
Hemp in bales, hydraulic or steam press packed.
Hemp seed.
Hemp waste, for paper-making.
Hide cuttings.
Hides, thoroughly salted or dry, in bales or bundles.
Hoofs, horns, and horn tips, buffalo, cow, goat, ox, and sheep, packed.
Horns, with slough.
Horse shoes.
Hurdles, iron or wood, e.o.h.p.
Hydraulic machinery and presses.
Jute.
Jute waste, for paper-making.
Kelp.
Kips, thoroughly salted or dry, in bales or bundles.
Ladders, iron.
Ladles, puddlers.
Lasts, iron.
Lathe beds.
Lead ashes, in bags.
Lead piping, in cases or casks.
Leather cuttings or parings, waste.
Lemon peel and citron peel.
Lime water, in casks.
Linen waste, for paper-making.
Litharge.

Malleable iron castings.
Marble chip pavement.
Megass, machine pressed.
Mexican fibre, machine pressed.
Millboard.
Mineral and aerated waters, in cases and casks.
Molasses.
Mortar mills.
Muriate of ammonia.
Mustard seed.

Nail (iron) cutting machines.
Nitrate of lead.

Oil cloth cuttings, for paper-making.
Oils, not dangerous, in casks or iron drums, round or tapered at one end, as follows :—
Carbolirium avenarius.
Castor.
Cocoanut.
Cod.
Cod liver.
Colza.
Cotton seed.
Earth nut or ground nut.
Haddock.
Herring.
Lard.
Linseed.
Lubricating mineral.
Menhadden.
Niger.
Oleic.
Oleine or tallow.
Palm.
Palm nut.
Pine.
Rape seed.
Rosin.
Seal.
Shale, crude.
Soap.
Sod.
Sperm.
Tar, mineral.
Train.
Whale.
Wool or cloth.

Old or scrap lead.
Onions.
Orange peel.
Osiers, twigs, and willows, green and wet.

Palmetto leaf, machine pressed.
Paper, for news printing, packing, or wrappering.
Paper, in rolls for printing paper hangings.
Paraffin scale.
Paraffin wax.
Pasteboard.
Pelts, wet, from tanners, not packed.
Piassava, hydraulic or steam press packed.
Pickblocks or pickheads, iron or steel, e.o.h.p.
Pigs, dead, for curing purposes.
Pipes, air, for ventilators.
Pit cages.
Plaster slabs, fibrous.
Plate or sheet iron, annealed.
Plough arm and share moulds and moulding, iron or steel.
Plough bodies, breasts, colters, side caps, frames, or rests, iron or steel.
Plough plates, finished, iron or steel.
Plough shares, finished, iron or steel.
Plough slades and wheels, iron or steel.
Provender, green.
Provender, horse or cattle, hydraulic or steam press packed.
Pumice stone.
Pumping machines.
Pumps (except hand pumps, brass), and pump castings, e.o.h.p.
Punching bears.
Putty, e.o.h.p.

Rags, not oily.
Red lead.
Retorts, clay.
Retorts, fire-brick.

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Rivetting machines.
Rod lead.
Rollers, garden or hand.
Rosin.
Rotten stone.
Saccharine, in casks, bags, pails, or cans.
Sad irons, packed.
Salammoniac.
Saltpetre.
Sanitary tubes, over 18 inches in diameter.
Sawing machines, for sawing iron.
Scrap tin.
Screw jacks, iron.
Screws, dry, in casks or bags.
Screws, wet, from tanners, not packed.
Scythe stones.
Seal pipes or valves, iron or steel.
Shafts, wrought iron, for driving mill wheels, finished.
Sheep dipping powder.
Sheepskins, in casks and thoroughly salted, or dry in bales or bundles.
Sheep wash.
Sheet lead.
Ships stern or rudder frames.
Shot, lead, in bags, packed in cases.
Shovel plates, iron or steel, finished.
Silicate cotton or slag wool, in casks or bags.
Sink traps, earthenware or fireclay.
Sinks, earthenware or fireclay.
Size, in cases or casks.
Skid pans or waggon slippers, iron.
Soap.
Solder.
Spade trees.
Spelter sheets, in casks or cases.
Spetches, dry, in casks or bags.
Spetches, wet from tanners, not packed.
Spile pegs.
Stampings, iron or steel, rough, unfinished, not tinned or galvanised.
Staples, iron.
Steam hammers.
Stearine.
Stone cutting and crushing machines.
Straw, machine pressed, minimum 40 cwt. per waggon.
Strawboard.
Strawboard cuttings, for paper-making.
Studs, iron or steel.
Sugar, in bags, cases, or casks.
Sulphate of copper, e.o.h.p.
Sulphur, e.o.h.p.
Surat bagging, for paper-making.
Syrup, in casks.
Tabling, water (cement).
Tallow.
Tares or wrappers, for cotton bales.
Telegraph insulators, earthenware, packed.
Telegraph stores—
Wrought-iron double swivels.
Malleable cast-iron double wall brackets.
Malleable cast-iron saddles.
Terra cotta caps or stoppers.
Timber, measurement weight.
Tin ore.
Tin plate boxes, empty.
Tow, hydraulic or steam pressed packed, e.o.h.p.
Tow waste, for paper-making.
Treacle.
Trestles, wrought iron.
Turpentine, crude, in casks.
Valves, gas or water, iron or steel.
Vegetables, dessicated, for cattle food.
Vegetables, in brine.
Vegetables, not packed, e.o.h.p., minimum 20 cwt. per waggon.
Verjuice, in casks.
Vinegar, in casks.
Waggon bodies, in pieces bound together.
Washing and wringing machine rollers.
Washing powder and paste.
Wheelbarrows, in parts.

Wheels, cart and plough, iron or steel.
Wheels, fly and spur.
Wheels, wheelbarrow, iron or steel.
White lead.
Winches, hand.
Window guards, iron.
Woad.
Wood fibre, in bales.
Wood pulp middles.
Wood treads, in frames for stairs.
Yellow metal plates and sheathing.
Zinc ridges.

Merchandise comprised in Class C. of the classification, if sent in quantities of less than 2 tons.

Class 2.

Acetate of alumina, in casks or iron drums.
Acetic or wood acid, in casks.
Acid cresylic, in casks or iron drums.
Agricultural and portable steam and traction engines, vertical steam engines, horizontal steam engines, steam ploughs, steam plough vans, steam tram engines, threshing machines, road rollers, and harrows.
Agricultural machines and implements, in cases.
Agricultural seeds.
Ale and porter (bottled) in hampers.
Algerian fibre, e.o.h.p., minimum 20 cwt. per waggon.
Alkanet root.
Ammonia, liquid, in casks or iron drums.
Animal guts, in casks.
Annotto, in casks.
Antimony regulus.
Argols or tartars.
Arrowroot.
Arsenic acid, in casks.
Asbestos.
Awl blades.
Axle boxes, brass.
Axles, not in the rough, e.o.h.p.
Bacon and hams, cured, packed.
Bagging, e.o.h.p.
Bags, hand, common (hemp).
Bags, paper.
Balusters, iron.
Bark, for tanning, e.o.h.p.
Bark, ground, packed in bags.
Baskets, iron.
Bass and whisk, for making brooms.
Bass baskets.
Bass mats and bass matting.
Bayonets.
Bed keys.
Bedsteads, metallic, in cases.
Beef, in brine.
Bees wax.
Bellows, packed.
Bellows pipes.
Bells, small.
Besoms.
Bicarbonate of soda, in boxes, crates, or hampers.
Bicycle stands, wrought iron.
Biscuits.
Bits, iron or steel.
Blackberries or brambleberries.
Blacking.
Black lead.
Blanks, bronze and copper, for stamping for coins.
Bleaching liquids, in casks.
Blood, in casks or iron drums.
Blow pipes.
Blue powder and stone and smalts in casks, cases, boxes, or bags.
Boards, made of compressed leather.
Bobbins, in bags.
Boilers and boiler fittings, iron or steel.

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Bolts, door.
Bone-crushing mills.
Bones, e.o.h.p.
Boot and shoe linings, cotton or linen.
Borax.
Bottle jacks.
Bottle stoppers, wood, packed.
Bottles, earthenware or stoneware.
Bowls, water, except iron or earthenware.
Box or Italian irons.
Boxes, safety.
Boxes or trunks, tin or sheet iron, packed in crates or cases.
Brands, iron or steel.
Brass.
Bread.
Bristles, in boxes, cases, or casks.
Bronze (phosphor) castings and ingots, rough.
Buckles, iron, steel, or brass.
Bullet moulds.
Bungs, wood, or shives.
Busks, wooden, horn, or steel.
Buoys.
Butter, in casks, firkins, baskets, or boxes, or in tubs or cools with wooden lids.
Buttons, except gold, silver, or plated.

Cabbages, packed, e.o.h.p.
Calipers.
Caloric engines.
Canary seed.
Candles, e.o.h.p.
Candlesticks, brass or iron.
Carbolic acid, liquid, in casks or iron drums.
Carbolic seed dressing.
Carbonate of magnesia.
Carbonate of potash, e.o.h.p.
Carpet bag frames.
Carriage and foot warmers.
Cartridge cases, e.o.b.p.
Cart steps.
Cartridge cases, exploded.
Castings, brass.
Castings (iron or steel), light, in boxes, cases, crates, casks, or hampers.
Castors, of all kinds.
Cattle food, prepared.
Celery.
Chains and traces, packed.
Chains, curb or door.
Chairwood, rough, undamageable.
Cheese, in boxes, casks, and cases.
Chestnuts, extract of, e.o.h.p.
Chicory.
Chimney pieces, cement or concrete.
China, in casks or crates.
China grass, e.o.h.p., minimum 20 cwt. per waggon.
Chlorate of potash.
Chlorate of soda, packed in hampers or casks.
Chloride of potash, packed in hampers or casks.
Chocolate.
Cider and perry (bottled), in hampers.
Cinder sifters.
Clasps, book, boot and belt, except gold, silver, or plated.
Clothes pegs, packed.
Coach wrenches.
Cobalt ore.
Cocoa.
Cocoa nut fibre, husk, shell, or matting, packed.
Codilla, e.o.h.p.
Coffee.
Coffee mills.
Coffin furniture, metallic.
Coir junk.
Coir rope.
Collars, dog.
Colliery screens or tips.
Colours, in casks or iron drums, or in tins packed in cases.
Confectionery, in cases, casks, or boxes.
Copper.
Copying presses.
Corkscrews.
Corn flour, patent.

Corves (small waggons for use in collieries).
Cotton, raw, e.o.h.p.
Cotton and woollen waste.
Cranberries.
Cranes or cranework.
Crucibles, plumbago or clay
Curling stones.
Currants (grocer's).
Curry combs.
Cyanite, in casks or iron drums, or in tins packed in cases.
Dandelion roots.
Dates.
Delta metal.
Dextrine.
Dies and die stocks.
Dishes, iron.
Distilled water, e.o.h.p.
Dollies and peggies, wooden, for laundry purposes.
Dripping, in casks, boxes, tins, or tubs with lids.
Dubbin.
Dust preventers.
Earthenware, in casks or crates.
Electric accumulators.
Electric insulators.
Emery.
Emery dust.
Emery rollers and emery wheels, in boxes or cases.
Envelopes, straw, for bottles.
Esparto grass, e.o.h.p., minimum 20 cwt. per waggon.
Eyelets.
Fat, raw.
Felt (not carpeting).
Ferrules, iron, steel, or brass.
Figs, dried.
Files or rasps, iron or steel.
Filters, cast-iron.
Fire boxes of portable steam and traction engines.
Fire guards, metal.
Fire irons.
Fire lighters.
Fish—
Herrings and sprats, in any state.
All fish, partially cured, smoked, or dried, e.o.h.p.
Crabs.
Fish hooks.
Flag poles or venetian masts.
Flax, in bales, e.o.h.p.
Flax seed, for sowing.
Flax straw, e.o.h.p., minimum 20 cwt. per waggon.
Flax waste, e.o.h.p.
Fleshings and glue pieces, e.o.h.p.
Flocks.
Flower pots, clay, common, unglazed.
Forges, portable, in pieces, packed in boxes.
Forges, portable, whole, cased in iron.
Forks and spoons, metal (except gold, silver, or plated).
Forks, digging, in cases.
Forks, toasting, iron.
Fruit, crystallised, in boxes, cases, or casks.
Fruit—
Apples, gooseberries, and pears, e.o.h.p.
Cherries, raspberries, strawberries, in tubs for jam.
Fruit, ripe, e.o.h.p.
Fruit, pulp, in casks.
Funnels, air or ship.
Fustic liquor.
Gall nuts.
Garancine.
Gas engines, complete.
Gas fittings, in parts, except brass and copper tubing.
Gates, iron or wooden, common.
Ginger beer, e.o.h.p.
Gins, wheels with frames for hoisting purposes.
Glass blocks, for pavement (not fitted in frames).
Glycerine, in casks or iron drums.

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Grates, ovens, ranges, or stoves, common or kitchen.
Gridirons.
Grindery.
Grindstones, e.o.h.p.
Gums, in mats, bags, casks, or cases.
Gum barrels, rough.
Gun carriages.
Gun locks and gun furniture.
Gun metal.

Hair, raw, pressed, in bales or bags.
Hardware—packages containing any hardware articles (not gold, silver, or plated) set out in classes hereinbefore mentioned, or in this class, and any of the following articles (not gold, silver, or plated), viz.:—
Awl blades.
Bayonets.
Bed keys.
Bellows, packed.
Bellows pipes.
Bells, small.
Bicycle stands, wrought-iron.
Bits.
Blanks, bronze and copper, for stamping for coins.
Blow pipes.
Bolts, door.
Bottle jacks.
Bowls, water, except iron or earthenware.
Boxes, safety.
Boxes or trunks, tin or sheet iron, packed in crates or cases.
Box or Italian irons.
Brands, iron or steel.
Buckles, brass, steel, or iron.
Bullet moulds.
Busks, steel.
Buttons.
Calipers.
Candlesticks, brass or iron.
Carpet bag frames.
Carriage and foot warmers
Cartridge cases, brass.
Cart steps.
Castings, brass.
Castors, of all kinds.
Chains, curb or door.
Cinder sifters.
Clasps, book, boot, or belt.
Coach wrenches.
Coffee mills, small hand.
Coffin furniture, metallic.
Collars, dog.
Copying presses.
Corkscrews.
Curry combs.
Dies and die stocks.
Dust preventers.
Eyelets.
Ferrules, iron, brass, or steel.
Fire guards (metal).
Fire irons.
Fish hooks.
Forks and spoons, metal.
Forks, toasting, iron.
Gas fittings, in parts, except brass and copper tubing.
Gins, wheels, with frames for hoisting purposes.
Grindery.
Gun barrels, rough.
Gun locks and gun furniture.
Hammer heads, packed.
Hammers, not steam.
Handcuffs.
Handles, chest and saucepan.
Hat and umbrella stands, cast-iron.
Hay forks, in bundles.
Hinges, brass.
Hinges, iron or steel.
Hooks, boot and button, hat and coat, and reaping.
Hooks and eyes.
Jacks, small.
Japanned ware, in casks or cases.
Kitchen fireplace stands.
Knitting pins.
Knives or blades for cutting machines.

Knobs, range, iron.
Knobs, door.
Knockers, door.
Ladles, not puddlers, iron.
Lamp burners.
Lanterns, tin or iron.
Latches, door.
Locks and keys.
Magnets.
Match boxes, japanned or enamelled tin, new, empty, packed.
Matchetts.
Medals, brass or copper.
Military ornaments.
Mortars and pestles, iron or steel.
Nails and rivets, brass or copper.
Needles (in tin-lined cases).
Nut crackers.
Ornaments for saddlery, brass, iron, or steel.
Ornaments for uniform.
Pans, ash.
Pans, copper, for closets.
Pans, dust.
Pans, warming.
Patten rings.
Patterns, travellers, hardware.
Percussion cap shells.
Pins, metal, in boxes.
Plates, door.
Plates, iron, enamelled.
Pliers.
Powder flasks.
Pulley blocks, iron.
Pulleys, iron.
Pumps, hand, brass.
Railway carriage keys.
Refrigerators.
Riddles.
Saddletrees.
Scales and weights, letter.
Screws, brass, copper, or zinc.
Screws, table expanding.
Scythe blades.
Scythes and sickles.
Shears, garden and sheep.
Ships logs, metal.
Shoe horns and pegs, metallic.
Show tablets, metal, enamelled.
Skates.
Skewers, iron or steel.
Snuffers, iron or steel.
Spanners.
Spittoons, iron.
Spring balances.
Springs, chair, sofa, mattress, door, or cart.
Spurs.
Stair rods.
Steelyards.
Stirrups.
Sugar nippers.
Syringes, garden.
Tacks.
Taper holders, metal.
Taps, brass.
Terrets.
Thimbles.
Tinware, in casks or cases.
Tips, brassed for boot heels.
Tobacco boxes, metal.
Tools, carpenters', coopers', edge, joiners', masons', and shipwrights'.
Traps, sink, brass or copper.
Traps, vermin.
Trays, iron or steel.
Trivets, iron or steel.
Trousers stretchers, iron, portable.
Trowels.
Umbrella fittings.
Umbrella stretchers.
Valves, brass.
Washers, brass or copper.
Weights, brass.
Wire, copper or brass, packed in cases, casks, or in bags.
Hames.
Hammer heads, e.o.h.p.
Hammers (not steam), e.o.h.p.
Handcuffs.

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Handles, chest and saucepan.
Harrow shafts, tube iron or tube steel.
Hat and umbrella stands, cast-iron.
Hay, e.o.h.p., minimum load 30 cwt. per waggon.
Hay forks.
Hay forks, in cases.
Hay rakes, hand, in cases.
Hemp, e.o.h.p.
Hessians, jute.
Hinges, brass, iron or steel.
Hoes, hand.
Hollow-ware, iron, including kettles, pans, maslins (pots for boiling fruit), and water cans, in casks or crates.
Hooks and eyes.
Hooks, boot, button, hat, coat, ceiling, reaping.
Hooks, clip, galvanized iron.
Hoops, wooden.

Ice.
Ink, except printers, in boxes, casks, or crates.
Iron liquor or muriate of iron.
Ivory black.
Ivory waste or dust.

Jacks, small.
Japanned ware, in casks or cases.
Japan wax.
Jars, earthenware or stoneware.

Kitchen fireplace stands.
Kitool fibre.
Knife boards.
Knitting pins.
Knives or blades for cutting machines.
Knobs (range), iron or steel.
Knobs (door).
Knockers (door).

Ladders, wooden.
Ladles (not puddlers iron).
Laminated lead.
Lamp burners.
Lanterns, tin or iron.
Lard, in casks, boxes, tins, or tubs with lids.
Lasts, wooden.
Latches, door.
Lead piping, e.o.h.p.
Leather, undressed, except in cases or crates.
Lemon and lime juice, in cases or casks.
Lemons.
Linen waste, e.o.h.p.
Linen yarn and grey linen, steam or hydraulic press packed, in bunches or bales.
Locks and keys.
Locomotive engines and tenders, loaded in railway companies waggons.
Logwood liquor.

Machinery, in parts, in cases, e.o.h.p.
Madders.
Magnets.
Marbles, children's.
Margarine, in casks, firkins, or boxes, or in tubs with wooden lids.
Match boxes, japanned or enamelled tin, new, empty, packed.
Matchetts.
Medals, brass or copper.
Megass, e.o.h.p., minimum 20 cwt. per waggon.
Mexican fibre, e.o.h.p., minimum 20 cwt. per waggon.
Military ornaments, except gold, silver, or plated.
Millstones, finished.
Mineral and aërated waters, e.o.h.p.
Molliscorum.
Mordant liquors (including alum liquor, dunging liquor, and red liquor).
Mortars and pestles, iron or steel.
Mungo.
Mushroom pulp.
Mushroom spawn.
Mustard, in casks, cases, boxes, or bags.

Nails and rivets, brass or copper.
Nails, zinc.
Needles (in tin lined cases).
Netting, of iron wire.
Newspapers, in bales.
Nickel ore.
Nitrate of copper, in casks.
Nitrate of iron.
Nut crackers, except gold, silver, or plated.
Nuts, e.o.h.p.

Oakum.
Oils, not dangerous, in casks or iron drums, round or tapered at one end, e.o.h.p.
Oranges.
Orchilla weed.
Ornaments for saddlery, brass, iron, or steel.
Ornaments for uniform, except gold, silver, or plated.
Osiers, twigs, and willows, brown.

Paints, in casks or iron drums, or in tins packed in cases.
Palisades, iron.
Palm leaves.
Palmetto leaf, e.o.h.p., minimum 20 cwt. per waggon.
Pans, ash.
Pans, copper, for closets.
Pans, dust.
Pans, warming.
Paper, emery, sand, and tobacco.
Paper hangings, common, in bales.
Paraffin and petroleum oils, in owners tank waggons, not giving off inflammable vapour under 73° Fahr., when tested in the manner set forth in the Petroleum Act, 1879.
Parian, in casks or crates.
Patten rings.
Patterns, travellers', hardware.
Pelts, e.o.h.p.
Percussion cap shells.
Pewter.
Piassava, e.o.h.p., minimum 20 cwt. per waggon.
Pickaxes.
Picker bends.
Pickles, in boxes, cases, or casks.
Pimento.
Pins, metal, in boxes.
Piston rods, steel.
Plates, door.
Plates, iron, enamelled.
Pliers.
Plough shafts, tube iron or tube steel.
Plumbago.
Polishing paste.
Pork, in brine.
Poultry pens (wire), folded.
Powder flasks.
Preserves (fish, fruit, meat, and provisions), in casks, boxes, or cases.
Printed matter, not bound.
Provender, horse or cattle, e.o.h.p.
Prunes, in casks or mats.
Pulley blocks, iron.
Pulleys, iron.
Pumps and pump castings, in cases.
Pumps, hand, brass.

Rags, pulled.
Railway carriage keys.
Railway waggon bodies.
Railway waggon bodies, fitted together.
Railway waggon brasses.
Rain water pipes, for spoutings and their connexions, cast-iron.
Raisins.
Reed webbing, for ceilings.
Refrigerators.
Revalenta arabica.
Rhubarb and rhubarb roots.
Riddles.
Rizine.
Rolls, iron, e.o.h.p.
Ropes.
Ropes, wire.
Sacks.
Saddletrees.

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Sad irons, e.o.h.p.
Safes, iron or steel.
Sago.
Sauces, in boxes, cases, or casks.
Scales and weights, letter.
Scoops, iron.
Scrap zinc.
Screw propellers.
Screws, brass, copper, or zinc.
Screws, table expanding.
Scrolls, iron (for fixing springs to carts and carriages).
Screws, e.o.h.p.
Scythe blades.
Scythes and sickles.
Seal skins, wet and salted.
Seaweed (dry) or alga marina.
Seeds, agricultural, e.o.h.p.
Semolina.
Shears, garden and sheep.
Sheets, wool, new.
Ships' logs, metal.
Ships' masts.
Ships' ventilators.
Shoddy.
Shoe horns and pegs, metallic.
Shoemakers' wax.
Shot, lead, e.o.h.p.
Show tablets, metal, enamelled.
Shumac liquor.
Signal posts (railway) and materials belonging thereto.
Silicate cotton or slag wool, e.o.h.p.
Sinks, cast iron, not enamelled.
Size, e.o.h.p.
Skates.
Skewers, iron or steel.
Slate pencils.
Slates, writing.
Snuffers, iron or steel.
Spades and shovels, iron or steel.
Spanners.
Spelter sheets, e.o.h.p.
Spetches, e.o.h.p.
Spirits of tar, in casks or iron drums.
Spittoons, iron.
Spoutings and connexions, iron or steel.
Spring balances.
Springs, chair, sofa, mattress, door, or cart.
Spurs, not plated.
Stable fittings (except enamelled), iron or steel.
Stair rods.
Stannite of potash.
Stannite of soda.
Staples (wire), for bookbinders.
Starch, in casks, cases, boxes, or bags.
Steam excavators or steam navvies.
Steel, bars and bundles.
Steelyards.
Stirrups.
Stone blue, in casks, cases, boxes, or bags.
Stone, carved for building purposes, e.o.h.p.
Straw, e.o.h.p., minimum load 20 cwt. per waggon.
Strickles, in boxes or cases.
Sugar mills.
Sugar nippers, except gold, silver, or plated.
Syringes, garden.
Tacks.
Tamarinds.
Taper holders, metal.
Tapioca.
Tapioca flour.
Taps, brass.
Tarpaulings.
Tartar, liquid.
Terne metal.
Terrets.
Thimbles.
Tin, in blocks, cakes, or ingots.
Tincal.
Tinfoil.
Tin liquor.
Tinware, in casks or cases.
Tips, brassed, for boot heels.
Tobacco boxes, metal.

Tobacco juice, in casks.
Tobacco leaf, in hogsheads or tierces.
Tobacco stoves or presses.
Tools, carpenters', coopers', edge, joiners', masons', and shipwrights'.
Tools, well-boring and pit-boring.
Torchwick.
Tow, in bales, e.o.h.p.
Tow waste, e.o.h.p.
Traps, sink, brass or copper.
Traps, vermin.
Trays, iron or steel.
Trivets, iron or steel.
Trouser stretchers, iron, portable.
Trowels.
Tubes, coated with brass.
Tubes, electro-coppered.
Tubes, steam, brass or copper.
Tubs, iron.
Tue irons.
Tumeric.
Turpentine, spirits of, in casks or iron drums.
Twine.
Umbrella fittings.
Umbrella sticks, in the rough.
Umbrella stretchers.
Valves, brass.
Varnish, in casks or iron drums.
Vegetable wax.
Vegetables, packed, e.o.h.p.
Vices, iron or steel.
Vinegar, in cases.
Walking sticks, in the rough.
Walnuts, green, and husks.
Washers, brass or copper.
Washers, leather.
Weighing machines, large (those used for weighing railway or other vehicles, and also cattle).
Weights, brass.
Window frames, iron, packed in cases.
Window shutters, iron or steel.
Wines, British, in casks.
Wire, copper or brass, packed in cases, casks, or in bags.
Wire, cotton-covered, in casks, hampers, cases, and canvas-covered coils.
Wire, iron or steel, e.o.h.p.
Wire, lead.
Wood, bent, rough, unfinished.
Wool, raw.
Yarn, twist, and weft, cotton and linen, in bales, bags, wrappers, cases, boxes, skips, or casks.
Yeast, in bags, or in bags in baskets, hydraulic press packed, dry.
Yellow metal bolts and nails.
Yellow metal rods.
Zinc bars.

Class 3.

Ale coolers.
Algerian fibre, e.o.h.p.
Alizarine, in cask or iron drums.
Almonds.
American or leather cloth.
Ammonia, liquid, in bottles (other than carboys) in cases.
Angelica root.
Aniseed.
Apple rings, in slices, dried.
Apples, dry, or pippins.
Arsenic acid, e.o.h.p.
Bacon and hams, cured, e.o.h.p.
Baking powder.
Baths.
Beadings and mouldings, gilt, lacquered, or varnished, packed in boxes.
Bedsteads, e.o.h.p.
Beehives, made of wood.

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Bell ringing (carillon) machinery.
Belting, for machinery.
Bichromate of soda, e.o.h.p.
Bichrome and bichromate of potash, e.o.h.p.
Bins, corn or wine.
Bitters, in casks or cases.
Black beer.
Bladders, in casks.
Blankets.
Blinds, paper.
Blinds, venetian and chain, in cases, crates, or frames.
Blowing engines.
Blue, laundry, liquid, in boxes, cases, casks, or iron drums.
Blue paste.
Blue powder and stone and smalts, e.o.h.p.
Boards, parquet flooring.
Boards, washing.
Bobbins, e.o.h.p.
Books, e.o.h.p.
Boothing or stalling.
Boots and shoes, including goloshes, and leather cut into boot shapes, in casks, cases, or boxes.
Boracic acid.
Bottles and bottle stoppers, glass, e.o.h.p.
Bowls, iron or wood.
Braces, except silk, for wearing apparel in bales, packs, or trusses.
Broom and brush heads, e.o.h.p.
Brooms and brushes, packed
Brush backs, xylonite.
Buckets and pails.
Buckram.
Butter, in crocks in wood, or in crocks when packed with straw in baskets.
Calicoes.
Candlewick.
Canvas.
Cap peaks, not oily.
Caps, men's or boys', except silk, in bales, packs, or trusses.
Capsules, metal, in cases.
Carbon candles, for electric lighting.
Carbonate of ammonia, in cases.
Card cloth.
Cards, for weaving, packed in cases.
Carpet bags.
Carpet beating machines.
Carpet lining (cork).
Carpeting.
Carpeting (cork).
Carraway seeds.
Carriage and cart steps.
Castings, iron, light, e.o.h.p.
Castings, sanitary, iron or steel, for public urinals and waterclosets.
Castings, steel, e.o.h.p.
Castor oil, in boxes.
Cellarets, wrought-iron.
Chaff, in bags, not for cattle feeding.
Chalk, French.
Chalk, prepared.
Cheese, e.o.h.p.
Cheese presses.
Chemicals, not dangerous, corrosive, or explosive, in casks, iron drums, bales, or bags.
Chimney pieces, marble or slate, e.o.h.p.
China, in hampers.
China grass, e.o.h.p.
Cinnabar ore.
Clock dials.
Clogs, in casks, cases, or boxes.
Clothing (exclusive of silk goods), if packed in trusses, packs, or bales.
Clothing, for soldiers, police, prison warders, railway porters, postal and telegraph (except busbies or helmets).
Clothing, waterproof (except oily canvas clothing).
Cloth, linen, packed.
Coach and upholsterers' trimmings, in packs, trusses, or bales.
Cob nuts.
Cocoa nut fibre, husk, shell, or matting, e.o.h.p.
Cocoa nuts.
Coffee extract or essence.

Coin, copper or bronze.
Collars, rush, for horses.
Colliery pulleys.
Colours, in cans, hampers, boxes, or iron bottles.
Combs.
Coquilla nuts.
Cordials, in casks or cases.
Coriander seed.
Cork shavings or cuttings.
Cork socks, in boxes, cases, or casks.
Corkwood.
Cornice poles, wood, in bundles, without rings or ends, not gilt.
Corozzo nuts.
Cotton and linen goods, in bales, boxes, cases, packs, or trusses, e.o.h.p.
Cotton and linen thread.
Cotton and woollen slops, in hampers, bales, or boxes.
Cotton wool, dressed and carded.
Crucibles, e.o.h.p.
Cummin seed.
Cutlery.
Cyanite, in cans, hampers, boxes, or iron bottles.

Dishes, wood.
Drapery, heavy.—Packages containing any of the following articles:—
American or leather cloth.
Blankets.
Boots and shoes, including goloshes, in casks, cases, or boxes.
Buckram.
Buttons, except gold, silver, or plated.
Calicoes.
Carpet bags.
Carpeting.
Clothing, waterproof (except oily canvas clothing).
Cotton and linen goods, in bales, boxes, cases, packs, or trusses, e.o.h.p.
Cotton and linen thread.
Cotton and woollen slops, in hampers, bales, or boxes.
Druggeting.
Elastic webbing.
Eyelets.
Flannel.
Floor cloth, including oil cloth, boulinikon, kamptulicon, and linoleum.
Hearth rugs, except skins.
Hooks and eyes.
Huckabacks.
India-rubber goods, except shoes and goloshes.
Laces, boot and stay, cotton or leather.
Linen cloth, packed.
Paper collars, cuffs, and shirt fronts.
Shirts, cotton, woollen, and linen, in bales, packs, or trusses.
Stays, not silk.
Tapes.
Thimbles, not gold, silver, or plated.
Wadding, cotton.
Woollen and worsted yarn.

Dripping, in crocks in wood, or in tubs or tins without lids.
Druggeting.
Drugs, in casks, bales, or bags.
Drysalteries, in casks.
Dutch metal and leaf.
Dyes, in casks and iron drums.

Earth closets.
Earthenware, in hampers.
Eggs, in boxes, cases, or crates.
Elastic webbing.
Electric batteries.
Electric cable.
Emery rollers and emery wheels, e.o.h.p.
Esparto grass, e.o.h.p.

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Fenders, in crates.
Fenders, kitchen, iron or steel.
Fenders, ships', cork or hemp.
Fents and tabs, cotton and woollen.
Fern, for litter or packing, e.o.h.p., minimum 20 cwt. per waggon.
Filberts.
Filters, earthenware.
Fire engines, steam.
Fire escapes.
Fire extinguishers (hand grenade), packed.
Fish, fresh, e.o.h.p.
Fish glue.
Flannel.
Flax, e.o.h.p.
Flax straw, e.o.h.p.
Floor cloth, including oil cloth, boulinikon, kamptulicon, and linoleum.
Flour-dressing or purifying machines.
Flower roots (not orchids).
Forges, portable, e.o.h.p.
Forks, e.o.h.p.
Fruit, ripe, not hot house—
Apricots.
Cherries.
Nectarines.
Peaches.
Raspberries.
Strawberries.
Fustian and corduroy.

Gas meters.
Gelatine.
German silver, in sheets.
German silver wire, in casks and cases.
Ginger, e.o.h.p.
Glass beads.
Glass, crown, rolled and sheet.
Glass, flint, e.o.h.p.
Glass, plate, rough.
Glass, plate, not silvered.
Gloves, cotton, woollen or worsted, in bales, packs, or trusses.
Gloves, rough leather, for labourers.
Glycerine, in cases or boxes.
Glycerine grease, for lubricating purposes, in tins packed in wooden cases.
Goat skins, e.o.h.p.
Granite, polished or dressed, e.o.h.p.
Grapes, packed in cork dust or sawdust, in casks.
Groceries, mixed.
Packages consigned as mixed groceries may include any grocery articles set out in classes hereinbefore mentioned or in this class, the following articles in Class 4:—
Cardamoms.
Citric acid.
Confectionery, e.o.h.p.
Crystallised fruits, e.o.h.p.
Meat pies.
Preserved ginger.
Sausages.
Yeast, e.o.h.p.
and the following in Class 5:—
Blue, laundry liquid, e.o.h.p.
Cinnamon.
Cloves.
Cochineal.
Cordials, e.o.h.p.
Extract of meat.
Indigo.
Isinglass.
Lard, e.o.h.p.
Nutmegs.
Gums, e.o.h.p.
Gun stocks.
Gun wads.
Guns, machine, in cases.
Gutta percha, raw.
Guttering or corrugating machines, e.o.h.p.

Hair, for manufacturing purposes, e.o.h.p.
Hair cloth.
Harness or saddlery, in tin lined cases or casks.
Hassocks.

Hats, rush, in bales, trusses, and hampers.
Hay rakes, hand, e.o.h.p.
Hearthrugs, except skins.
Heel balls, shoemakers'.
Helmets, metal, in cases or boxes.
Herbs, green.
Hides, e.o.h.p.
Honey, in casks, or in jars packed in crates or cases.
Hoofs, horns, and horn tips, buffalo, cow, goat, ox, and sheep, e.o.h.p.
Hops.
Hosiery, in bales, packs, or trusses.
Huckabacks.
Hurdles, iron or steel, on wheels.

India-rubber goods, except shoes and goloshes.
India-rubber, raw.
Ink, printers'.

Jews' harps.
Joiners' work (common wood)—beadings and mouldings (not gilt, lacquered or varnished), doors and door frames, fittings and fixtures for buildings, staircases, balusters and hand rails, window sashes and frames and shutters.
Juniper berries.

Kips, e.o.h.p.

Laces, boot or stay, cotton or leather.
Lamp black.
Lamp chimneys (glass).
Lamp frames (street).
Lamp reflectors, enamelled iron.
Lamp wick.
Lamps, paraffin, in parts (except china or earthenware) packed in casks and cases.
Lard, in bladders, in crocks, in wood, or in tubs, or tins without lids.
Lavatory stands and basins, earthenware, complete, enamelled.
Lawn mowers, packed.
Lead pencils.
Leather, e.o.h.p.
Lemon and lime juice, e.o.h.p.
Life buoys.
Limestone, polished or dressed.
Lime water, e.o.h.p.
Lincrusta and anaglypta (decorative wall papers).
Linen cloth, packed.
Linen yarn or grey linen, e.o.h.p.
Liquorice.
Looking-glass frames (common), wood (not gilded) or Dutch metalled.

Maccaroni.
Machines, fitted up, packed, e.o.h.p.
Magnesia.
Marble, packed, and in slabs cemented together.
Margarine, in crocks, in wood, or in crocks when packed with straw in baskets.
Marquees or tents.
Mastic.
Mats and matting, e.o.h.p.
Megass, e.o.h.p.
Merinoes, in bales, packs, or trusses.
Mexican fibre, e.o.h.p.
Mica.
Milk.
Milk cans and pans.
Millboard rollers (for winding paper in cases).
Mops.
Mortars and pestles, marble.
Moss, packed.
Muslin, book, if packed in bales, packs, or trusses.
Mustard, e.o.h.p.

Netting, cotton and twine.
Nickel.
Nitrate of baryta.

Oars.
Oils, not dangerous e.o.h.p.
Oleic acid, in casks.
Osiers, twigs, and willows, white or stained.
Osnaburgs.

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Oxalic acid.
Paints, in cans, hampers, boxes, or iron bottles.
Palliasses, straw.
Palmetto leaf, e.o.h.p.
Pans, chemical and dye, iron or steel.
Pans, earthenware or iron, for sanitary purposes.
Paper, e.o.h.p.
Paper collars, cuffs, and shirtfronts.
Paper, gummed for labels.
Paper hangings, e.o.h.p.
Paper tubes, for cops.
Parian, in hampers.
Pattens, in casks, cases, or boxes.
Pearl shells.
Penholders, wood or metal (except gold, silver, or plated).
Pepper.
Percussion caps, uncharged.
Petroleum grease or petroleum jelly.
Piassava, e.o.h.p.
Pickles, e.o.h.p.
Picture frames, common, wood (not gilded) or Dutch metalled.
Pins, metal.
Plants, e.o.h.p.
Preserves (fish, fruit, meat, and provisions), e.o.h.p., in crates or baskets.
Pulley blocks, wood.
Pumps and pump castings, e.o.h.p.
Quicks, e.o.h.p.
Rabbit fur, or hatters' wool.
Raffia.
Railway cards and tickets.
Reels, for garden hose.
Rennet.
Rick poles and covers.
Road-scraping and road-sweeping machines.
Rock, crystal.
Rugs, hearth, except skin.
Saddlery or harness, in tin-lined cases or casks.
Sauces, e.o.h.p.
Saw-bench machines, portable, packed.
Scale beams and scales.
Scoops, wood.
Screw jacks, except iron.
Scythe sneds or handles.
Sealing wax.
Seaweed, edible.
Sewing machines, in parts, packed.
Sewing-machine stands, in parts, packed in cases or frames.
Shafts, cart.
Shafts, gig, carriage, or dog cart, not painted nor varnished.
Shavings, wood.
Sheepskins, e.o.h.p.
Sheet steel.
Shellac.
Shells.
Ships' blocks.
Ships' sails, finished.
Shirts, cotton, woollen, and linen, in bales, packs, trusses, and hampers.
Shoe horns and pegs.
Shoes and boots, including goloshes and leather cut into shoe shapes, in casks, cases, or boxes.
Shot belts.
Show cards (cardboard), unframed.
Shutters, revolving, wooden.
Shuttles, weavers'.
Silver ore.
Sinks, enamelled.
Skins, hare and rabbit.
Slate beds of billiard tables, packed in cases.
Slate slabs.
Spindles, in boxes.
Spirits, in casks or cases.
Splints, wood for matches.
Squeegees, for cleaning ships' decks, &c.
Stable fittings and mangers, iron enamelled.
Starch, e.o.h.p.
Stationery, e.o.h.p.
Stays, not silk, for wearing apparel.
Stills, iron.

Stone blue, e.o.h.p.
Stoves, gas or oil.
Strickles, e.o.h.p.
Stuff goods, in bales, packs, or trusses.
Sugar, e.o.h.p.
Sugar candy.
Syrup, in cases, in tins, in baskets, or in stone bottles packed in crates or hampers.
Tables, cast-iron or steel, in parts.
Talc.
Tapes.
Tea.
Thimbles, except gold, silver, or plated.
Thread, cotton and linen.
Toasting forks, iron or steel.
Tobacco juice, e.o.h.p.
Tobacco leaf, e.o.h.p.
Tow, e.o.h.p.
Toys, packed.
Trellis work (wood), in bundles.
Troughs, bakers', wooden.
Troughs, cattle and other, iron or steel.
Tubes, brass or copper, except steam, packed.
Tubs, washing.
Tubs, wood.
Turnery ware.
Type.
Varnish, e.o.h.p.
Vaseline.
Vegetable ivory.
Velvet, cotton, in bales, packs, or trusses.
Vermicelli.
Vinegar, e.o.h.p.
Wadding, cotton.
Wash leather.
Wash-stand tops, marble, packed.
Washing and wringing machines, packed.
Water meters.
Weighing machines, small (those used for weighing packages and goods).
Wheelbarrows.
Wheels, rudder or steering, in cases, crates, or frames.
Whetstones and honestones.
Whisks, packed.
Winches, steam.
Window frames, iron, e.o.h.p.
Wines, British, e.o.h.p.
Wines, in casks or cases.
Wood, bent, e.o.h.p.
Wool, dressed or carded.
Woollen and worsted goods, in bales, packs, or trusses.
Woollen cloth, in bales, packs, or trusses.
Xylonite.
Yarns, twist and weft (except silk).
Yellow or Persian berries.

CLASS 4.

Agricultural machines and implements, e.o.h.p.
Alabaster.
Albumen.
Alizarine, e.o.h.p.
Ammonia, liquid, in bottles (other than carboys) in hampers.
Anchovies.
Annotto, e.o.h.p.
Anthracene, e.o.h.p.
Asparagus.
Bacon and hams, fresh or green.
Bags, leather
Beef wine, in boxes.
Bee hives, straw.
Beer engines.
Bellows, e.o.h.p.
Bells.

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Billiard cues, in bundles.
Blinds, Venetian and chain, e.o.h.p.
Boilers, copper.
Books, bound or half bound in calf, morocco, roan, russia, or law calf.
Boots and shoes, including goloshes and leather cut into boot shapes, in hampers (white rod).
Braces, for wearing apparel, not silk, e.o.h.p.
Bristles, e.o.h.p.
Britannia metal goods.
Bronze powder.
Brooms and brushes, e.o.h.p.
Bungs and corks.
Butter, in flaps or hampers, or in tubs or cools without lids.

Candles, wax.
Canes and rattans.
Caps, men's or boys' (except silk), in boxes or cases.
Caravans (showmen's or hawkers') and vans containing steam roundabouts.
Carbolic acid, solid.
Carboys, gutta percha.
Cardamoms.
Cats' and dogs' meat.
Cattle cribs.
Chaff, e.o.h.p.
Chairs and seats, garden, e.o.h.p.
Chairs, common, folding, in boxes, cases, crates, and parcels.
Chemicals, not dangerous, corrosive, or explosive, in boxes or hampers.
Chimney pieces, metal, unpacked.
Chimney tops, iron or zinc.
China, in boxes, or cases.
Churns and churning machines.
Cisterns.
Citric acid.
Clocks, turret and church.
Clogs, e.o.h.p.
Cloth, linen, tied in bundles, but not protected by wrappers, or not packed.
Clothing (exclusive of silk goods), e.o.h.p.
Coach and upholsterers' trimmings, e.o.h.p.
Coal scuttles.
Cobalt.
Coffee carts or stalls on wheels.
Confectionery, e.o.h.p.
Corn crushers.
Cricket implements.
Croquet implements.
Crystallised fruit, e.o.h.p.
Curtains, cotton, lace.

Dandy rollers, in cases for paper mills.
Drapery, light—Packages containing any drapery articles set out in Classes herein-before mentioned, and in this Class, and any of the following articles :—
- Bags (leather, ladies' hand, courier, and travelling).
- Braces, not silk, for wearing apparel.
- Carpeting, exceeding 15 feet in length, packed in cases.
- Cloth, woollen.
- Clothing (exclusive of silk goods), e.o.h.p.
- Coach and upholsterers' trimmings.
- Gloves, cotton, woollen, and worsted.
- Haberdashery.
- Hosiery.
- Muslins (book).
- Needles.
- Stuff goods.
- Umbrellas.
- Woollen and worsted goods.

Dripping, in bladders.
Druggists' sundries, in mixed packages.
Drugs, in boxes or hampers.
Drysalteries, e.o.h.p.
Dye extracts.
Dyes, e.o.h.p.

Earthenware, in boxes or cases.

Eggs, e.o.h.p.
Extract of malt.
Felt hat bodies.
Fire engines, e.o.h.p.
Fish, fresh—
Brill, grayling, lobsters, oysters, prawns, red mullet, salmon, smelt, soles, trout, turbot, whitebait.
Flax in the straw.
Flower roots, e.o.h.p.
Flower stands, wrought-iron.
Fluid, disinfecting, in bottles; packed in cases or hampers, or in basketed jars.
Footballs.
Frilling machines, in parts, packed.
Fruit-cleaning machines.
Furniture, in vans, carts, or road waggons.
Garden arches.
Garden engines.
Glasshouse pots.
Glass, in boxes or cases.
Glass, prepared, for photographers.
Globes, moons, or shades, glass, common.
Gloves, cotton, woollen, and worsted, e.o.h.p.
Gold size.
Golf clubs.
Grates, ovens, ranges, or stoves, polished.
Gravestones or tombstones.
Gun barrels, e.o.h.p.
Guns.
Gutta-percha goods.
Guttering or corrugating machines, not packed.
Haberdashery.
Hand carts.
Handmills.
Hares, dead.
Harness, e.o.h.p.
Hat leathers.
Hats, soft felt.
Hawkers' packs and trusses.
Hollow-ware, iron, including kettles, pans, maslins (pots for boiling fruit), and water cans, e.o.h.p.
Honey, e.o.h.p.
Hop bitters.
Hose, leather and canvas.
Hosiery, e.o.h.p.
Household linen and wearing apparel (exclusive of silk goods), e.o.h.p.
Incubators, complete.
Ink, e.o.h.p.
Japanned ware, e.o.h.p.
Kilting machines, in parts, packed.
Knapsacks, soldiers'.
Knitting machines, in parts, packed.
Lac.
Lace, British, not silk.
Laces, boot or stay, e.o.h.p.
Lamps.
Lawn mowers, not packed.
Lawn tennis implements.
Leather leggings.
Lint.
Lithographic stones.
Looms, not packed.
Luggage or baggage, personal.
Machinery, in parts, not packed, e.o.h.p.
Machines, fitted up, not packed, e.o.h.p.
Malt crushers.
Maps, in boxes or cases.
Margarine, in baskets, flats, or hampers, or in tubs without lids.
Mats, skin.
Mattresses.
Meat fresh.
Meat pies.
Meat safes.
Mincing machines.
Mushrooms.
Muslin, book, e.o.h.p.
Needles, e.o.h.p.
Oleic acid, e.o.h.p.

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Panoramas and theatrical scenery.
Pans, copper.
Parian, in boxes or cases.
Pattens, e.o.p.h.
Patterns, wood, for castings.
Pens, steel.
Perforating and paper-cutting machines.
Pine apples, not hothouse, packed.
Pipes, brass and copper.
Pipes, smoking.
Pistols.
Plaiting machines, in parts, packed.
Plaited goods.
Plums (dried) in fancy boxes.
Porcelain.
Poultry, dead.
Preserved ginger.
Preserves (fish, fruit, meat, and provisions), e.o.h.p.
Rabbits, dead.
Razor strops.
Reeds and rushes.
Reflectors, glass, with metal backs.
Rifles.
Rollers, type printers'.
Saddlery, e.o.h.p.
Sausages and saveloys.
Saw-bench machines, portable, not packed.
Seal skins, e.o.h.p.
Seeds, e.o.h.p.
Sewing-machine stands, e.o.h.p.
Shafts, gig, carriage, or dog cart, e.o.h.p.
Sheep racks.
Shirts, e.o.h.p.
Shoes and boots, including goloshes and leather cut into shoe shapes, in hampers (white rod).
Show cards, e.o.h.p.
Shrubs and trees, e.o.h.p.
Skins, fine, including deer, fox, kid, musquash, and nutria.
Snuff.
Spades and shovels, wooden.
Spermaceti.
Spindles, e.o.h.p.
Spirits, in hampers.
Spirits of tar, e.o.h.p.
Stag horns.
Steam gauges.
Stereotype casts.
Stills, copper.
Stone, decorative, carved for decorating the interior of buildings.
Stoves, fire-clay tile.
Stuff goods, e.o.h.p.
Swing boats and hobby horses.
Tables, cast-iron or cast-steel.
Tanks.
Tartaric acid.
Telegraph instruments, packed.
Telephone apparatus, packed.
Textile fabrics, made of mixed cotton, linen, wool, or similar materials.
Theatrical luggage.
Tiles, art.
Tin crystals.
Tinware, e.o.h.p.
Tobacco, manufactured, except cigars and cigarettes.
Tomatoes.
Toys, e.o.h.p.
Tubes, tin and zinc.
Tubing, brass or copper, e.o.h.p.
Ultramarine.
Umbrellas.
Umbrella sticks, e.o.h.p.
Vans, commercial travellers'.
Vats.
Vegetable washing machines.
Vegetables, hothouse, packed.
Veneers.
Venison.
Verdigris.
Walking sticks, e.o.h.p.
Warps, except silk.
Washing and wringing machines, not packed.
Whalebone.
Wheels, cart, coach, and carriage.
Wheels, rudder or steering, e.o.h.p.

Wines, in hampers.
Wire, insulated.
Wire, polished or needle.
Wire gauze.
Woodwork for the manufacture of organs.
Woodwork for the manufacture of pianos.
Woollen and worsted goods, e.o.h.p.
Woollen cloth, e.o.h.p.

Yeast, e.o.h.p.

Class 5.

Acetic or wood acid, e.o.h.p.
Aluminium.
Amber.
Ammonia, liquid, e.o.h.p.
Animals and birds, stuffed, in cases.
Aquaria, glass.
Artificial flowers.
Bagatelle tables.
Balloons.
Bark, not for tanning, e.o.h.p.
Barometers.
Baskets, e.o.h.p.
Bath chairs.
Beadings and mouldings, gilt, lacquered, or varnished, e.o.h.p.
Beds and bedding.
Bicycles.
Billiard tables.
Bird cages.
Bismuth.
Blue, laundry, liquid, e.o.h.p.
Boats and canoes.
Boots and shoes, including goloshes and leather cut into boot shapes, e.o.h.p.
Boxes, e.o.h.p.
Butter, in crocks, e.o.h.p.
Caps, e.o.h.p.
Carbolic acid, liquid, e.o.h.p.
Carboys, glass.
Cards, for carding machines, e.o.h.p.
Carriage bodies, e.o.h.p.
Chairs and seats, e.o.h.p.
Chandeliers and gasaliers.
Chemicals, not dangerous, corrosive, or explosive, e.o.h.p.
Chloride of gold, in boxes, for photographers.
Cigars and cigarettes.
Cinnamon.
Clock cases.
Clocks, e.o.h.p.
Cloves.
Cochineal.
Coffins.
Collodion cotton, in bottles packed in cases.
Colours, in jars.
Conservatories and hothouses, in parts.
Cordials, e.o.h.p.
Cork socks, e.o.h.p.
Crape.
Cyanite, in jars.

Dripping, in crocks, e.o.h.p.
Drugs, e.o.h.p.
Dyes, in glass carboys.

Empty cases, casks, crates, hampers, and other empties, e.o.h.p.
Engravings.
Evergreens.
Extract of meat.

Feathers.
Fenders, e.o.h.p.
Figures, casts, or ornaments, alabaster, bronze, gypsum, plaster, stucco, or terra cotta.
Figures, flowers, and heads, wax.
Flowers, cut.
Flower stands, e.o.h.p.
Frilling machines, fitted up, packed.
Fruit, hot-house.

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Furniture, e.o.h.p.
Furs.
Game.
Glass, cut, ornamental, for doors.
Glass, plate, silvered.
Glass, stained.
Globes, for educational purposes.
Globes, moons, or shades, glass, e.o.h.p.
Gloves, e.o.h.p.
Glycerine, e.o.h.p.
Hair, for head dressing.
Hat and umbrella stands, wood.
Hats, except soft felt and rush.
Helmets, felt, in cases or boxes.
Horses, dead.
Indigo.
Isinglass.
Ivory, e.o.h.p.
Jet.
Kilting machines, fitted up, packed.
Knitting machines, fitted up, packed.
Lace.
Lard, e.o.h.p.
Looking-glass frames, e.o.h.p.
Looking glasses and mirrors, glass.
Lustres and vases, glass.
Magnesium metal.
Maps, e.o.h.p.
Margarine, in crocks, e.o.h.p.
Match boxes, empty, e.o.h.p.
Military ornaments, e.o.h.p.
Millinery.
Models, clay.
Morphia, in bottles in hampers.
Moss, e.o.h.p.
Musical instruments.
Muslins.
Nitrate of copper, in jars or stone bottles, covered with wicker-basket work.
Nitrate of silver, in boxes, for photographers.
Nut crackers, e.o.h.p.
Nutmegs.
Optical instruments.
Organs and organ work.
Ornaments for uniform, e.o.h.p.
Overmantels, cast-iron, with mirrors.
Paints, in jars.
Papier-maché goods.
Parchment.
Penholders, e.o.h.p.
Perambulators, complete or in parts.
Perfumery.
Phosphorus paste (vermin killer), packed.
Photographic apparatus.
Picture frames, e.o.h.p.
Pictures.
Pine apples, e.o.h.p.
Plaiting machines, fitted up, packed.
Plants and shrubs (garden), in baskets, mats, pots, or tubs.
Platinum.
Plush, silk.
Portmanteaus.
Poultry, alive.
Quicksilver.
Quills.
Retorts, glass.
Ribbons.
Rocking horses.
Rollers, brass or copper.
Seal skins, made into articles of wearing apparel.
Serpentine, manufactured, packed.
Sewing machines, fitted up, packed.
Shoes and boots, including goloshes and leather cut into shoe shapes, e.o.h.p.
Show cases for shops, glass and woodwork.
Silk.
Silver precipitate.
Spirits, e.o.h.p.
Sponges.
Straw goods, including straw hats and straw bonnets.
Straw plait.

Sugar nippers, e.o.h.p.
Summer houses.
Surgical instruments.

Teazles.
Telescopes.
Thermometers.
Thimbles, e.o.h.p.
Tonquin beans.
Tortoiseshell.
Tricycles and velocipedes.

Trunks.
Turpentine, spirits of, e.o.h.p.
Turtle.

Velvet, e.o.h.p.
Ventilators, e.o.h.p.

Watch glasses.
Wines, e.o.h.p.
Woodwork, carved, for decorating the interior of buildings.

Yolk of eggs.

Midland Railway Company (Rates and Charges) Provisional Order.

A

B I L L

To confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Midland Railway Company, and certain other Railway Companies connected therewith.

(*Prepared and brought in by Sir Michael Hicks Beach and Baron Henry De Worms.*)

Ordered, by The House of Commons, *to be Printed,* 10 *February* 1891.

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[Bill 198.]

A

B I L L

[AS AMENDED BY THE JOINT COMMITTEE OF LORDS AND COMMONS]

TO

Confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Midland Railway Company, and certain other Railway Companies connected therewith. A.D. 1891.

WHEREAS under the Railway and Canal Traffic Act, 1888, the Board of Trade embodied in a Provisional Order the classification of merchandise traffic and schedule of maximum rates and charges, including all terminal charges which, in the opinion of the Board of Trade, ought to be adopted by the Midland Railway Company, and the railway companies connected therewith, which are mentioned in the schedule to the said Provisional Order: 51 & 52 Vict. c. 25. s. 24.

And whereas it is expedient that the Provisional Order, as set out in the schedule to this Act annexed, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Midland Railway Company (Rates and Charges) Order Confirmation Act, 1891. Short title.

2. The Order, as set out in the schedule to this Act annexed, shall be and the same is hereby confirmed, and all the provisions of the said Order in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and effect. Confirmation of Order in schedule.

A.D. 1891.

Midland Railway Company.

SCHEDULE.

MIDLAND RAILWAY COMPANY.

Order of the Board of Trade under the Railway and Canal Traffic Act, 1888, embodying the classification of merchandise traffic and the authorised schedule of maximum rates and charges, including all terminal charges applicable to the said classification of the Midland Railway Company, and certain other railway companies connected therewith.

Short title.

1. This Order may be cited as the Midland Railway Company (Rates and Charges) Order, 1891.

Commencement.

2. This Order shall come into force and have effect on the 1st of August 1892, or such later date as the Board of Trade may by Order direct, which date is in this Order referred to as the commencement of this Order.

Interpretation.

3. This Order is to be read and construed subject in all respects to the provisions of the Railway and Canal Traffic Acts, 1873 and 1888, and of any other Acts or parts of Acts incorporated therewith.

Schedule of maximum rates and charges.

4. From and after the commencement of this Order the maximum rates and charges which the Midland Railway Company, and the railway companies connected therewith mentioned in the Appendix to the schedule to this Order in respect of railways mentioned in the said Appendix, shall be entitled to charge and make in respect of merchandise traffic on the railways of the said companies, shall be the rates and charges specified in the schedule to this Order annexed, and shall be subject to the classification, regulations, and provisions set forth in the said schedule.

Schedule of Maximum Rates and Charges, and Classification of Merchandise Traffic applicable to the Midland Railway Company and certain other Companies connected therewith.

I.—Maximum Rates and Charges.

1. This schedule of maximum rates and charges shall be divided into six parts: Part I., containing the maximum rates and charges authorised in respect of the merchandise comprised in the several classes of merchandise specified in the classification. Part II. and Part III., containing the maximum rates and charges authorised in respect of animals and carriages as therein mentioned. Part IV., specifying the exceptional charges mentioned in such part, and the circumstances in which they may be made. Part V., containing the rates and charges authorised in respect of perishable merchandise by passenger train, with the provisions and regulations which are to apply to such class of merchandise; and Part VI., containing the rates and charges authorised in respect of small parcels by merchandise train, with the provisions and regulations which are to apply to such parcels.

2. The maximum rate for conveyance is the maximum rate which the Company may charge for the conveyance of merchandise by merchandise train; and, subject to the exceptions and provisions specified in this schedule, includes the provision of locomotive power and trucks by the Company, and every other expense incidental to such conveyance not herein-after provided for. Provided that—

(*a.*) The provision of trucks is not included in the maximum rates applicable to merchandise specified in Class A. of the classification, and the Company shall not be required to provide trucks for the conveyance of such merchandise, or for the conveyance of lime in bulk or salt in bulk, or of the following articles when carried in such a manner as to injure the trucks of the Company; that is to say, ammoniacal liquor, creosote, coal tar, gas tar, gas water, or gravel tarred for paving.

(*b.*) Where, for the conveyance of merchandise other than merchandise specified in Class A. of the classification, the Company do not provide trucks, the rate authorised for conveyance shall be reduced by a sum which, for distances not exceeding fifty miles, shall, in case of difference between the Company and the person liable to pay the charge, be determined by an arbitrator to be appointed by the Board of Trade, and for distances exceeding fifty miles shall be the charge authorised to be made by the Company for the provision of trucks when not included in the maximum rate for conveyance.

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Midland Railway Company.

3. The maximum station terminal is the maximum charge which the Company may make to a trader for the use of the accommodation (exclusive of coal drops) provided, and for the duties undertaken by the Company for which no other provision is made in this schedule, at the terminal station for or in dealing with merchandise, as carriers thereof, before or after conveyance.

4. The maximum service terminals are the maximum charges which the Company may make to a trader for the following services, when rendered to or for a trader, that is to say, loading, unloading, covering, and uncovering merchandise, which charges shall, in respect of each service, be deemed to include all charges for the provision by the Company of labour, machinery, plant, stores, and sheets. Provided that—

Where merchandise conveyed in a separate truck is loaded or unloaded elsewhere than in a shed or building of the Company, the Company may not charge to a trader any service terminal for the performance by the Company of any of the said services if the trader has requested the Company to allow him to perform the service for himself and the Company have unreasonably refused to allow him to do so. Any dispute between a trader and the Company in reference to any service terminal charged to a trader who is not allowed by the Company to perform for himself the service, shall be determined by the Board of Trade.

5. The Company may charge for the services hereunder mentioned, or any of them, when rendered to a trader at his request or for his convenience, a reasonable sum by way of addition to the tonnage rate. Any difference arising under this section shall be determined by an arbitrator to be appointed by the Board of Trade at the instance of either party. Provided that where before any service is rendered to a trader he has given notice in writing to the Company that he does not require it, the service shall not be deemed to have been rendered at the trader's request or for his convenience :—

(i.) Services rendered by the Company at or in connexion with sidings not belonging to the Company.

(ii.) The collection or delivery of merchandise outside the terminal station.

(iii.) Weighing merchandise.

(iv.) The detention of trucks, or the use or occupation of any accommodation, before or after conveyance, beyond such period as shall be reasonably necessary for enabling the Company to deal with the merchandise as carriers thereof, or the consignor or consignee to give or take delivery thereof; or, in cases in which the merchandise is consigned to an address other than the terminal station beyond a reasonable period from the time when notice has been delivered at such address that the merchandise has arrived at the terminal station for delivery. And services rendered in connexion with such use and occupation.

(v.) Loading or unloading, covering or uncovering merchandise comprised in Class A. or Class B. of the classification.

(vi.) The use of coal drops.

(vii.) The provision by the Company of accommodation at a waterside wharf, and special services rendered thereat by the Company in respect of loading or unloading merchandise into or out of vessels or barges where no special charge is prescribed by any Act of Parliament. Provided that charges under this sub-section shall, for the purposes of sub-section (3) of section 33 of the Railway and Canal Traffic Act, 1888, be deemed to be dock charges.

6. Where merchandise is conveyed in trucks not belonging to the Company, the trader shall be entitled to recover from the Company a reasonable sum by way of demurrage for any detention of his trucks beyond a reasonable period, either by the Company or by any other Company over whose railway the trucks have been conveyed under a through rate or contract. Any difference arising under this section shall be determined by an arbitrator to be appointed by the Board of Trade at the instance of either party.

7. Nothing herein contained shall prevent the Company from making and receiving, in addition to the charges specified in this schedule, charges and payments, by way of rent or otherwise, for sidings or other structural accommodation provided or to be provided for the private use of traders, and not required by the Company for dealing with the traffic for the purposes of conveyance, provided that the amount of such charges or payments is fixed by an agreement, in writing, signed by the trader, or by some person duly authorised on his behalf, or determined in case of difference by an arbitrator to be appointed by the Board of Trade.

8. In respect of merchandise received from or delivered to another railway company having a railway of a different gauge, the Company may make a reasonable charge for any service of transshipment performed by them, the amount of such charge to be determined in case of difference by an arbitrator to be appointed by the Board of Trade.

9. The Company may charge for the use of the trucks provided by them for the conveyance of merchandise, when the provision of trucks is not included in the maximum rates for conveyance, any sums not exceeding the following:—

	s.	*d.*	
For any distances not exceeding 20 miles - -	0	4½	per ton.
For distances exceeding 20 miles, but not exceeding 50 miles - - - - - -	0	6	„ „
For distances exceeding 50 miles, but not exceeding 75 miles - - - - - -	0	9	„ „
For distances exceeding 75 miles, but not exceeding 150 miles - - - - - -	1	0	„ „
For distances exceeding 150 miles - - -	1	3	„ „

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II.—Provisions as to Fixing Rates and Charges.

10. In calculating the distance along the railway for the purpose of the maximum charge for conveyance of any merchandise, the Company shall not include any portion of their railway which may, in respect of that merchandise, be the subject of a charge for station terminal.

11. Where merchandise is conveyed for an entire distance which does not exceed in the case of merchandise in respect of which a station terminal is chargeable at each end of the transit three miles, or in the case of merchandise in respect of which a station terminal is chargeable at one end of the transit four and a half miles, or in the case of merchandise in respect of which no station terminal is chargeable six miles, the Company may, except as herein-after specially provided, make the charges for conveyance authorised by this schedule as for three miles, four and a half miles, and six miles respectively. Provided that where merchandise is conveyed by the Company partly on the railway and partly on the railway of any other company the railway and the railway of such other company shall for the purpose of reckoning such short distance be considered as one railway.

12. For any quantity of merchandise less than a truck load which the Company either receive or deliver in one truck, on, or at a siding not belonging to the Company, or which, from the circumstances in which the merchandise is tendered, or the nature of the merchandise, the Company are obliged or required to carry in one truck, the Company may charge as for a reasonable minimum load, having regard to the nature of the merchandise.

13. Where a consignment by merchandise train is over three hundredweight and under five tons in weight, a fraction of a quarter of a hundredweight may be charged for as a quarter of a hundredweight; and where a consignment by merchandise train is over five tons in weight, a fraction of a quarter of a ton may be charged for as a quarter of a ton.

14. For a fraction of a mile the Company may charge according to the number of quarters of a mile in that fraction, and a fraction of a quarter of a mile may be charged for as a quarter of a mile.

15. For a fraction of a penny in the gross amount of rates and charges for any consignment for the entire distance carried, the Company may demand a penny.

16. Weight (except as to stone and timber when charged by measurement) shall be determined according to the imperial avoirdupois weight.

17. All stone shall be charged at actual weight, when the weight can be conveniently ascertained. When the actual weight of stone in blocks cannot be conveniently ascertained, 14 cubic feet of stone in blocks may be charged for as one ton, and smaller quantities may be charged for in the like proportion.

18. When timber is consigned by measurement weight, 40 cubic feet of oak, mahogany, teak, beech, greenheart, ash, elm, hickory, ironwood, baywood, or other heavy timber, and 50 cubic feet of poplar, larch, fir, or other light timber may

be charged for as one ton, and smaller quantities may be charged for in the like proportion. The cubic contents of timber consigned by measurement weight shall be ascertained by the most accurate mode of measurement in use for the time being.

19. Articles sent in large aggregate quantities, although made up of separate parcels, such as bags of sugar, coffee, and the like, shall not be deemed to be small parcels.

III.—Miscellaneous.

20. In respect of any merchandise or article of any description which is not specified in the classification, the Company may, unless and until such merchandise or article is duly added to this classification and schedule pursuant to subsection eleven of section twenty-four of the Railway and Canal Traffic Act, 1888, make the charges which are by this Schedule authorised in respect of merchandise and things in Class 3.

21. Nothing herein contained shall affect the right of the Company to make any charges which they are authorised by any Act of Parliament to make in respect of any accommodation or services provided or rendered by the Company at or in connexion with docks or shipping places.

22. In respect of returned empties, if from the same station and consignee to which and to whom they were carried full to the same station and consignor from which and from whom they were carried full, the Company may charge the following rates inclusive of station and service terminals:—

For any distance not exceeding 25 miles - - -	3*d.* per cwt.
For any distance exceeding 25 miles and not exceeding 50 miles - - - - - - - -	4*d.* „ „
For any distance exceeding 50 miles but not exceeding 100 miles - - - - - - -	8*d.* „ „
For each additional 50 miles or part of 50 miles - -	3*d.* „ „

The minimum weight to be 56 lbs., with a minimum charge of 3*d.*

Provided that—

(1.) Returned empty sacks and bags shall not be charged more than half the above rates with a minimum charge of 4*d.*

(2.) Returned empty carboys or crates (other than glass manufacturers crates and crates taken to pieces and so packed) may be charged double the above rates.

(3.) Returned empty fish packages shall not be charged more than the following rates:—

For any distance not exceding 50 miles - - -	4*d.* per cwt.
For any distance exceeding 50 miles but not exceeding 100 miles - - - - - -	5*d.* „ „
For any distance exceeding 100 miles but not exceeding 150 miles - - - - - -	7*d.* „ „

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Midland Railway Company.

For any distance exceeding 150 miles but not exceeding 200 miles - - - - - - - 8*d.* per cwt.
For any distance exceeding 200 miles but not exceeding 250 miles - - - - - - - 9*d.* „ „
For any distance exceeding 250 miles but not exceeding 300 miles - - - - - - - 10*d.* „ „
For any distance exceeding 300 miles - - - 11*d.* „ „
The minimum weight to be 56 lbs., with a minimum charge of 4*d.*

23. Where merchandise is conveyed in a trader's truck, the Company shall not make any charge in respect of the return of the truck empty, provided that the truck is returned empty from the consignee and station or siding to whom and to which it was consigned loaded direct to the consignor and station or siding from which it was so consigned, and where a trader forwards an empty truck to any station or siding for the purpose of being loaded with merchandise the Company shall make no charge in respect of the forwarding of such empty truck, provided the truck is returned to them loaded for conveyance direct to the consignor and station or siding from whom and whence it was so forwarded.

24. Any railway company (other than the Company) conveying merchandise on the railway, or performing any of the services for which rates or charges are authorised by this schedule, shall be entitled to charge and make the same rates and charges as the Company are by this schedule authorised to make.

25. The Board of Trade Arbitrations, &c. Act, 1874, shall, so far as applicable, apply to every determination of a difference or question by arbitration under the provisions herein contained.

26. In this schedule, unless the context otherwise requires:—

The term "the company" means a railway company to which this schedule applies;

The term "the railway" means any railway or steam tramway over which the Company conveys merchandise, and in respect of which no maximum rates and charges other than those authorised in this schedule are for the time being authorised by Parliament;

The term "merchandise" includes goods, cattle, live stock, and animals of all descriptions;

The term "the classification" means the classification of goods annexed to this schedule;

The term "trader" includes any persons sending or receiving, or desiring to send merchandise by the railway;

The term "terminal station" means a station or place upon the railway at which a consignment of merchandise is loaded or unloaded before or after conveyance on the railway, but does not include any station or junction at which the merchandise in respect of which any terminal is charged has been exchanged with, handed over to, or received from any other railway

company, or a junction between the railway and a siding let by or not belonging to the Company, or in respect of merchandise passing to or from such siding any station with which such siding may be connected, or any dock or shipping place the charges for the use of which are regulated by Act of Parliament.

The term "siding" includes branch railways not belonging to a railway company.

The term "person" includes a company or body corporate.

27. The foregoing provisions shall, so far as applicable, apply to merchandise when conveyed by passenger train under Part V.; but save as aforesaid and so far as is provided by Part V., nothing herein contained shall apply to the conveyance of merchandise by passenger trains, or to the charges which the Company may make therefor.

28. This schedule shall apply to the Midland Railway Company, and the other companies mentioned in the appendix hereto so far as relates to the railways therein specified.

A.D. 1891.

Midland Railway Company.

APPENDIX.

COMPANIES TO WHICH THIS SCHEDULE APPLIES.

The Great Northern Railway Company in respect of the following joint Railways, viz. :—

Bourn and Lynn Railway and Spalding Junctions.
Peterborough, Wisbech, and Sutton Bridge Railway.
Newark Curve.
Railway from Little Bytham to Bourn.

The North-eastern Railway Company in respect of the Otley and Ilkley and the Swinton and Knottingley Joint Railways.

The London and North-western Railway Company in respect of the Ashby and Nuneaton Joint Railways.

The Great Western Railway Company in respect of the Bristol Port Railway and the Halesowen Railway.

The Halesowen Railway Company in respect of the Halesowen Railway.

The Furness Railway Company in respect of the Furness and Midland Joint Railways.

The Kettering, Thrapstone, and Huntingdon Railway Company in respect of the Kettering, Thrapstone, and Huntingdon Railway.

The Barnoldswick Railway Company in respect of the Barnoldswick Railway.

The Cannock Chase and Wolverhampton Railway Company in respect of the Cannock Chase and Wolverhampton Railway.

The Sutton Bridge Dock Company in respect of the railways forming part of the undertaking.

Maximum Rates and Charges.

Part I.—Goods and Minerals.

Rates and Terminals in respect of Merchandise comprised in Classes A., B., C., 1, 2, 3, 4, and 5.

In respect of Merchandise comprised in the under-mentioned Classes.	Maximum Rates for Conveyance. For Consignments, except as otherwise provided in the Schedule.				Maximum Terminals.					
						Service Terminals.				
	For the first 20 Miles, or any part of such Distance.	For the next 30 Miles, or any part of such Distance.	For the next 50 Miles, or any part of such Distance.	For the remainder of the Distance.	Station Terminal at each End.	Loading.	Unloading.	Covering.	Uncovering.	—
	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton per Mile.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	Per Ton.	
	d.	*d.*	*d.*	*d.*	*s. d.*	*s. d.*	*s. d.*	*d.*	*d.*	
A.	1·15	0·90	0·45	0·40	0 3	—	—	—	—	A.
B.	1·25	1·0	0·80	0·50	0 6	—	—	—	—	B.
C.	1·80	1·50	9·20	0·70	1 0	0 3	0 3	1	1	C.
1.	2·20	1·85	1·40	1·0	1 6	0 5	0 5	1·50	1·50	1.
2.	2·65	2·30	1·80	1·50	1 6	0 8	0 8	2	2	2.
3.	3·10	2·65	2·0	1·80	1 6	1 0	1 0	2	2	3.
4.	3·60	3·15	2·50	2·20	1 6	1 4	1 4	3	3	4.
5.	4·30	3·70	3·25	2·50	1 6	1 8	1 8	4	4	5.

Provided that in respect of the under-mentioned railway the power of the Company to charge for a distance less than six miles shall have effect as if the number of miles mentioned hereunder were substituted for six miles.

Swansea Vale Railway from Swansea to Brynamman, 3 miles.

Maximum Rates and Charges—*continued.*

Part II.—Animal Class.

Description.	Rate for Conveyance per Mile.				Station Terminal at each End.	Service Terminals.		Minimum Total Charge per Consignment.
	For the first 20 Miles, or any part of such Distance.	For the next 30 Miles, or any part of such Distance.	For the next 50 Miles, or any part of such Distance.	For the remainder of the Distance.		Loading.	Unloading.	
	d.	*d.*	*d.*	*d.*	*s. d.*	*s. d.*	*s. d.*	*s. d.*
1. For every horse, mule, or other beast of draught or burden	3	3	1·65	1·65	0 6	0 4	0 4	2 6
2. For every ox, cow, bull, or head of neat cattle - - -	2	2	1·30	1·30	0 4	0 3	0 3	2 6
3. For every calf not exceeding 12 months old, pig, sheep, lamb, or other small animal - - - - -	0·75	0·75	0·40	0·35	0 2	0 1·50	0 1·50	2 6
4. For every animal of the several classes above enumerated conveyed in a separate carriage, by direction of the consignor, or from necessity - - - -	6	6	6	6	1 6	1 0	1 0	5 0
5. For each truck containing any consignment by the same person of such number of oxen, cows, neat cattle, calves, sheep, goats, or pigs as may reasonably be carried in a truck of 13 feet 6 inches in length inside measurement	6	5·0	4·90	4·20	1 0	0 6	0 6	5 0
6. For each truck containing any consignment by the same person of such number of oxen, cows, neat cattle, calves, sheep, goats, or pigs as may reasonably be carried in a truck of 15 feet 6 inches in length inside measurement	7	6·0	5·20	4·50	1 0	0 9	0 9	5 0
7. For each truck containing any consignment by the same person of such number of oxen, cows, neat cattle, calves, sheep, goats, or pigs, as may reasonably be carried in a truck of 18 feet in length inside measurement - -	8	7·0	6·20	5·50	1 0	1 0	1 0	5 0

The terminal charges other than those payable under paragraph 4 on animals sent by the same person at a rate calculated per head, and carried in the same truck, shall in no case exceed the terminal charges per truck.

Where the Company is required to cleanse and does cleanse trucks under the provision of any Order in Council, or duly authorised regulation of any Department of State, they may make a charge not exceeding one shilling per truck in addition to the charges herein authorised.

MAXIMUM RATES AND CHARGES—*continued.*

PART III.—CARRIAGES.

Description.	Rate for Conveyance.				Station Terminal at each End.	Service Terminals.			
	For the first 20 Miles, or any part of such Distance.	For the next 30 Miles, or any part of such Distance.	For the next 50 Miles, or any part of such Distance.	For the remainder of the Distance.		Loading.	Unloading.	Covering.	Uncovering.
	Per Mile.	Per Mile.	Per Mile.	Per Mile.					
	d.	*d.*	*d.*	*d.*	*s. d.*	*d.*	*d.*	*d.*	*d.*
For every carriage of whatever description not included in the classification, and not being a carriage adapted and used for travelling on a railway, and not weighing more than one ton, carried or conveyed on a truck or platform - - - -	6	6	3·30	3·20	1 0	6	6	—	—
For every additional quarter of a ton which such carriage may weigh -	2	2	1·35	1·25	—	—	—	—	—
For the use of a covered carriage truck for the conveyance of any such carriage - - - -	An additional charge of ten shillings.			—	—	—	—	—	—

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MAXIMUM RATES AND CHARGES—*continued.*

PART IV.—EXCEPTIONAL CLASS.

Description.	Charge.
For articles of unusual length, bulk, or weight, or of exceptional bulk in proportion to weight -	Such reasonable sum as the Company may think fit in each case.
For articles requiring an exceptional truck, or more than one truck, or a special train - -	
For locomotive engines and tenders, and railway vehicles running on their own wheels - -	
For any wild beast, or any large animal not otherwise provided for - - - -	
For dangerous goods - - - -	
For specie, bullion, or precious stones - -	
For any accommodation or services provided or rendered by the Company within the scope of their undertaking by the desire of a trader, and in respect of which no provisions are made by this schedule - - - - -	

PART V.—PERISHABLE MERCHANDISE BY PASSENGER TRAIN.

The following provisions and regulations shall be applicable to the conveyance of perishable merchandise by passenger train:—

1. The Company shall afford reasonable facilities for the expeditious conveyance of the articles enumerated in the three divisions set out hereunder (which articles are herein-after called "perishables"), either by passenger train or by other similar service.

2. Such facilities shall be subject to the reasonable regulations of the Company for the convenient and punctual working of their passenger train service, and shall not include any obligation to convey perishables by any particular train.

3. The Company shall not be under obligation to convey by passenger train, or other similar service, any merchandise other than perishables.

4. Any question as to the facilities afforded by the Company under these provisions and regulations shall be determined by the Board of Trade.

5. Where a consignment of milk is less than 12 gallons, the Company shall be entitled to charge as for 12 gallons, and where a consignment of perishable merchandise comprised in Divisions II. or III. is less than one hundredweight, the Company shall be entitled to a charge as for one hundredweight, with a minimum charge of one shilling.

DIVISION I.

Milk.

DIVISION II.

Butter (fresh).
Cheese (soft).
Cream.
Eggs.
Fish—
Char.
Grayling.
Lobsters.
Mullet (red).
Oysters.
Prawns.
Salmon.
Fish—
Soles.
Trout.
Turbot.
Whitebait.
Fruit—
Hothouse fruit.
Game (dead).
Meat (fresh).
Poultry (dead).
Rabbits (dead).
Vegetables (hothouse).

DIVISION III.

Fish (except as provided in Division II.).
Fruit (except as provided in Division II.).
Ice.

Maximum rates and charges for the three divisions—

DIVISION I.

Rate for Conveyance.						Station Terminal at each End.	Service Terminals.	
For any Distance not exceeding 20 Miles.	For any Distance exceeding 20, but not exceeding 50 Miles.	For any Distance exceeding 50, but not exceeding 75 Miles.	For any Distance exceeding 75, but not exceeding 100 Miles.	For any Distance exceeding 100 Miles, but not exceeding 150 Miles.	For any Distance exceeding 150 Miles.		Loading.	Unloading.
Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Imperial Gallon.	Per Can.	Per Can.	Per Can.
d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
0·50	0·60	0·70	0·90	1·00	1·20	1·50	1·00	1·00
RETURNED EMPTY CANS.								
Per Can.	Per Can.	Per Can.	Per Can.	Per Can.	Per Can.			
d.	*d.*	*d.*	*d.*	*d.*	*d.*			
1·50	2·00	2·25	2·50	3·00	3·00		0·50	0·50

Rate for Conveyance.				Station Terminal at each End.	Service Terminals.	
For the first 20 Miles, or any part of such Distance.	For the next 30 Miles, or any part of such Distance.	For the next 50 Miles, or any part of such Distance.	For the remainder of the Distance.		Loading.	Unloading.
Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt. per Mile.	Per Cwt.	Per Cwt.	Per Cwt.
		DIVISION II.				
d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
0·60	0·45	0·24	0·10	0·75	0·75	0·75
		DIVISION III.				
d.	*d.*	*d.*	*d.*	*d.*	*d.*	*d.*
0·40	0·30	0·13	0·12	0·75	0·50	0·50

PART VI.—SMALL PARCELS BY MERCHANDISE TRAIN.

1. For small parcels by merchandise trains, not exceeding in weight three hundredweight, the Company may charge, in addition to the maximum rates for conveyance, and the maximum station and service terminals, authorised by this schedule, which rates and charges are in this Part together referred to by the expression "the maximum tonnage charge," the following:—

Authorised additional charge per Parcel.	—	Per Ton.	—	Per Ton.
s. *d.*		*s.* *d.*		*s.* *d.*
0 5	When the maximum tonnage charge does not exceed - - -	20 0	- - -	—
0 6	When the maximum tonnage charge exceeds - - - - -	20 0	but does not exceed -	30 0
0 7		30 0		40 0
0 8		40 0		50 0
0 9		50 0		60 0
0 10		60 0		70 0
1 0		70 0		80 0
1 2		80 0		90 0
1 4		90 0		100 0
1 6		100 0		—

2. Where, for a parcel exceeding in weight three hundredweight, the maximum tonnage charge comes to less than the Company are authorised, according to the above table, to charge for a parcel of three hundredweight in weight, the Company may charge for such parcel as if its weight was three hundredweight.

2A. A small parcel under this part of the Schedule may consist of one consignment of two or more packages of merchandise comprised in the same class of the classification of not less than 14 lbs. each in weight.

Any package weighing less than 14 lbs. shall be deemed to be a small parcel, and the Company may charge for any such parcel as if it were 28 lbs. in weight.

3. For a small parcel of less than 28 pounds in weight the Company may charge as for a parcel of 28 pounds in weight.

4. For a fraction of 14 pounds in weight the Company may charge as for 14 pounds weight.

5. Any small parcel (other than a parcel of mixed groceries) containing articles belonging to different classes of the classification, shall be chargeable with the maximum tonnage charge applicable to the highest of such classes.

6. If the consignor of a small parcel declines, on demand by the Company, to declare to the Company the nature of the contents of the small parcel before or at the time when the same is delivered to the Company for conveyance, the Company may charge for the parcel as if it was wholly composed of articles comprised in Class 5 of the classification.

7. Nothing in this part of this Schedule shall apply to returned empties.

CLASSIFICATION OF MERCHANDISE TRAFFIC.

Where in this List the Letters "e.o.h.p." are placed after the Designation of any Article they mean "except otherwise herein provided."

Class A.

Applicable to Consignments of Four Tons and upwards.

Basic slag, unground.
Cannel.
Chalk in the rough, for agricultural purposes.
Cinders, coal.
Clay, in bulk, e.o.h.p.
Coal.
Coke.
Coprolites and rock phosphate, unground.
Creosote, coal-tar, gas-tar, gas-water, in owners tank waggons.
Culm.
Gannister.
Gas-lime or gas purifying refuse.
Gravel.
Hammer scale.
Iron ore.
Iron pyrites, unburnt and burnt.
Ironstone.
Limestone, in bulk.
Manganiferous iron ore, for iron-making.
Manure, street, stable, farmyard, in bulk.
Night soil.
Purple ore.
Sand.

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Slack.
Slag or scoria, blast furnace.
Stone and undressed material, for the repair of roads.
Stone, wholly undressed, straight from a quarry.
Tap or mill cinder.
Waste sulphate of lime.

When merchandise specified in Class A. is consigned in quantities of less than four tons and not less than two tons, the Company may charge for such consignment the conveyance rates applicable to Class B., and if less than two tons the conveyance rates applicable to Class C.: Provided that the Company shall not charge more than as for a consignment of four tons or two tons respectively.

CLASS B.

APPLICABLE to CONSIGNMENTS of FOUR TONS and upwards.

Alabaster stone, in lumps, unground.
Ammoniacal liquor.
Antimony ore waste.
Asphalte paving, in blocks.
Barytes, raw, in bulk.
Basic material, burnt limestone, in bulk, to steel converters.
Basic slag, ground, packed.
Blooms, billets, or ingots, iron or steel.
Bog ore, for gas purifying.
Bricks, clay, common and fire.
Bricks, crushed.
Cement, in blocks or slabs.
Cement stone.
China clay.
Coal fuel, patent.
Compost, for manure.
Concrete, in blocks or slabs.
Copperas, green, in bulk.
Coprolites and rock phosphate, ground.
Creosote, coal-tar, gas-tar, gas-water, e.o.h.p.
Draff, or brewers and distillers grains.
Ferro-Manganese, in bulk.
Furnace lumps.
Furnace scrapings.
Gas carbon.
Granite, in blocks, rough or undressed.
Gravel, tarred, for paving.
Gypsum, for manure.
Gypsum stone, in lumps, unground.
Iron and steel.
The following articles of iron or steel:—
Anvils.
Bar, iron or steel, exceeding 1 cwt. per bar, in open trucks at request of trader.
Bars, for tin-plate making.
Buoy sinkers.
Cannon balls and shot, and shells not charged.
Clippings, shearings, and stampings of sheet iron and tin plates, in compressed bundles.
Filings.
Ingot moulds.
Plates—
Open sand, cast.
Scrap, minimum load four tons per truck.
Swarf.
Wire rope, old, cut in pieces.
Iron ore refuse for gas purifying.
Kainit.
Lead ashes, in bulk.
Lime, in bulk.
Litter (moss or peat), hydraulic or steam press packed.
Loam.

Manganese ore.
Mangel wurzel, in bulk, for feeding cattle.
Manure (other than street, stable, and farmyard), in bulk.
Peat.
Pig iron.
Pipes, draining, common, for agricultural draining.
Pitch, coal tar, in blocks.
Plaster-stone, in lumps, unground.
Potsherds.
Puddled bar, iron.
Quarls.
Rock salt.
Salt, in bulk.
Skimmings, flux, lead, tin, or zinc.
Slates, common.
Slate slabs, in the rough, or roughly squared or planed, not packed.
Spar, in the rough, in bulk.
Spiegeleisen, in bulk.
Stone, in the rough state, building, pitching, paving, kerb, or flag.
Sud-cake manure.
Sugar-scum, for manure.
Sulphate of potash.
Sulphur ore.
Tan or spent bark.
Tiles, paving, draining, roofing, or garden edging, common.
Turf.
Turnips, in bulk, for cattle feeding.
Zinc ashes.
Zinc ore.

When merchandise specified in Class B. is consigned in quantities of less than four tons and not less than two tons, the Company may charge for such consignment the conveyance rates applicable to Class C., and if less than two tons the conveyance rates applicable to Class 1: Provided that the Company shall not charge more than as for a consignment of four tons or two tons respectively.

Class C.

Applicable to Consignments of Two Tons and upwards.

Acetate of lime.
Algarovilla.
Algerian fibre, hydraulic or steam press packed.
Alum.
Alum cake.
Alum waste.
Alumina, hydrate of, or bauxite.
Alumina water.
Aluminoferric.
Aluminosilic.
Antichlorine.
Antimony ore.
Arseniate of soda.
Arsenic.
Asphaltum.
Barium, Chloride of, in casks.
Bark for tanning, chopped, packed in bags, or hydraulic pressed.
Barley, pot and pearl.
Barytes, ground, in casks or bags.
Bicarbonate of soda, in casks.
Bisulphite of soda.
Blanc-fixe (ground barytes with water added, for glazing paper).
Bleaching powder.
Blood, for manure, in casks.
Bobbin blocks.
Bone ash.
Bone waste.
Bones, calcined.
Bones, for size or manure.
Break blocks.
Bricks, clay, glazed, or enamelled.

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Bricks, Flanders or scouring.
Brimstone, crude or unmanufactured.
Burrstones.
Cabbages, loose, in bulk.
Cake, for cattle feeding.
Carbonate of lime.
Carbonate of soda, or soda crystals.
Carrots.
Caustic soda.
Cement, e.o.h.p.
Chair bottoms, wooden, in the rough.
Chalk, ground.
Charcoal, packed.
Chertstone.
China grass, hydraulic or steam press packed.
China stone.
Chloride of calcium.
Chromate ore.
Clay, in bags or casks.
Clips, cotton tie, packed.
Clog blocks, rough.
Copper ore.
Copperas, green, e.o.h.p.
Cotton waste, for paper-making, hydraulic or steam press packed.
Cullet (or broken glass).
Cutch.
Divi divi.
Dog, hen, and other pures or bates, in barrels or bags.
Drain pipes, glazed.
Dross, metal.
Dyewoods—
Barwood.
Fustic wood.
Lima wood.
Logwood.
Nicaragua wood.
Earth, red.
Earth nuts, or ground nuts.
Emery stone.
Ensilage.
Esparto grass, hydraulic or steam press packed.
Extracts, in casks or boxes, for tanners use.
Farina, e.o.h.p.
Felloes, naves, and spokes.
Fenugreek seeds.
Flax straw, hydraulic or steam press packed.
Flax waste, for paper-making, hydraulic or steam press packed.
Fleshings and glue pieces, wet, from tanners, in casks.
Flints, e.o.h.p.
Flour.
Flue linings or flue pipes, fire clay.
Forgings, iron or steel, in the rough, e.o.h.p.
Fullers earth.
Furniture vans, returned empty, if from the same station and consignee to which and to whom they were carried full, to the same station and consignor from which and from whom they were carried full.
Gambier and terra japonica.
Glass, ground.
Glaze, potters, in casks.
Grain.
Barley.
Beans, e.o.h.p.
Bran.
Brank or buckwheat.
Dari.
Dills.
Groats.
Gurdgeons
Hominy.
Indian corn
Lentils.
Linseed.
Locusts or charubs.
Maize.
Malt.
Malt culms or cummings.
Meal.
Middlings.
Millett.
Oat dust.
Oats.
Peas, dried or split.

Grain—*cont.*
- Pollards or thirds.
- Rice points or husks.
- Rye.
- Sharps or seconds.
- Shelling.
- Shudes.
- Tares.
- Vetches.
- Wheat.

Grindstones, in the rough.
Grit in bags (for sawing stone).
Guano.
Guide plates or ramps, iron or steel.
Gypsum, e.o.h.p.
Hay, hydraulic or steam press packed.
Heads and staves, prepared, for casks.
Hoof and horn waste, e.o.h.p.
Horn piths or sloughs.
Horse-shoe bars, iron.
Hygeian rock building composition, in bags or casks.
Infusorial earth or diatomite.
Iron and steel, the following articles of—
- Anchors.
- Angle bars, or plates.
- Anvil blocks and cups.
- Anvils, hammers, and standards, for steam hammers
- Axle box guides, in the rough, for locomotives.
- Axle forgings, in the rough.
- Axles, in the rough.
- Axles and wheels (railway carriage, railway waggon, tram, or corve).
- Bar, e.o.h.p.
- Beams.
- Bearers.
- Binders.
- Bolts and nuts.
- Boot protectors.
- Bridgework—
  - Cantilevers.
  - Cross and longitudinal girders.
  - Floor plates.
  - Girders, whole or in part.
  - Joists.

Iron and steel—*cont.*
- Bridgework—*cont.*
  - Lattice bars.
  - Screw and other piles, both hollow and solid.
  - Struts and ties.
- Bundles of bars.
- Caissons.
- Cart bushes.
- Chain cables.
- Chains and traces, not packed.
- Colliery tubbing.
- Columns.
- Corrugated iron.
- Crowbars.
- Curbing, for roadways.
- Cylinders, not turned, drilled, planed or slotted.
- Engine bed plates.
- Ferro-manganese, e.o.h.p.
- Galvanised iron.
- Gasometer sheets.
- Girders.
- Girder bars.
- Granulated iron.
- Gratings (man-hole, drain, pavement, area, or floor).
- Hammer heads, in the rough.
- Heater bottoms.
- Helves, or tilt hammers.
- Hoop iron.
- Hoop steel.
- Hoops, iron.
- Hoops, weldless, in the rough.
- Horn blocks, in the rough, for locomotives.
- Housings, chocks, standards, plain bed plates, pinions, coupling boxes, and spindles, for rolling mills.
- Lamp posts.
- Mortar mill rolls.
- Nail rods and sheets.
- Nails and spikes.
- Pickblocks or pickheads, in the rough.
- Pipes (exclusive of rain water pipes), gas, water, air, and steam:

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Iron and steel—*cont.*
- Pipes, for blast furnaces.
- Plates—
  - Annealing.
  - Armour.
  - Black, in boxes, or not packed.
  - Boiler.
  - Furnace.
  - Hoe-head, in the rough.
  - Plough, in the rough.
  - Railway fish.
  - Rough flooring.
  - Ships.
  - Shovel.
  - Tank.
- Press tops and bottoms, unfinished.
- Railway carriage and waggon work.
- Railway chairs.
- Railway points, crossings, or joints.
- Railway rails.
- Retorts, retort lids, and retort mouthpieces, in the rough.
- Rivets.
- Rods, common.
- Rods (wire), rolled, not drawn.
- Rolls, turned or unturned, not polished or packed.
- Roofwork—
  - Bed plates.
  - Gutters.
  - Rafters.
  - Struts and ties or tie rods.
  - Tun shoes for principals.
  - Wind ties—
    - Principals.
    - Purlins.
  - Wrought or cast-iron sky bars.
- Scrap, minimum load, three tons per truck.
- Shafts, for driving mill wheels, unfinished.
- Sheet iron, not packed.
- Shoe tips.
- Sleepers.
- Spiegeleisen, e.o.h.p.
- Standards for hurdles, packed.
- Strips, not packed.

Iron and steel—*cont.*
- Telegraph posts.
- Telegraph stores—
  - Blacked iron (cast) ridge chairs.
  - Galvanised and blacked earth plates, in bundles.
  - Galvanised and blacked iron loop rods.
  - Galvanised and blacked screw tighteners, packed.
  - Galvanised and blacked stay rods, in bundles.
  - Galvanised and blacked stay tighteners.
  - Iron poles, roofs or caps.
  - Malleable cast-iron brackets, galvanised, packed.
- Tiles (roofing), painted, galvanised, or enamelled.
- Tip iron.
- Trawl heads.
- Trunnions, unfinished.
- Tubes and fittings for tube (except electro-coppered or coated with brass).
- Tyres and tyre bars, in the rough.
- Wall boxes.
- Wall brackets.
- Weights.
- Wire (iron), not packed or wrappered.
- Wire iron, rolled in rods or coils, not packed.
- Wire (steel), not packed or wrappered.

Keel bars.

Lead ore.

Lime, e.o.h.p.

Lime salt.

Linen waste, for paper-making, hydraulic or steam press packed.

Magnesia, rough oxide of, in cases or casks.

Magnesium, chloride of, in casks.

Manganate of soda, crude, in casks.

Mangel wurzel, e.o.h.p.

Manure, e.o.h.p.
Marble, in blocks, rough.
Marble chips, for pavement, in sacks.
Megass, hydraulic or steam press packed.
Mexican fibre, hydraulic or steam press packed.
Millstones, in the rough.
Mineral white.
Moulders black or dust.
Muriate of manganese.
Muriate of potash.
Myrabolams.
Netting, old, for paper-making.
Nitrate of soda.
Nitre cake.
Ochre.
Oil cake
Old sails and old tarpaulins, for paper-making.
Oxide of iron.
Palmetto leaf, hydraulic or steam press packed.
Parsnips.
Pearl hardening, for paper-making.
Pelts, wet, from tanners, in casks or bags.
Pig lead.
Pins, iron or steel.
Pipe clay.
Pitch, e.o.h.p.
Pitwood, for mining purposes.
Plaster.
Ploughshares, iron or steel, in the rough.
Plumbago ore.
Posts, iron or steel, for wire fencing.
Potatoes, in bulk or in sacks.
Pots, iron, for melting iron.
Pyrites, e.o.h.p
Rags, not oily, hydraulic or steam press packed.
Railway cotters.
Railway keys, wooden.
Railway waggons and other railway vehicles, e.o.h.p., loaded in other waggons.
Rice.
Ridges (cement or stone), for roofing.
Ridges, slate.
Ropes, old, for paper-making.
Sago flour.
Salt, packed.
Salt cake.
Sand, glass and silver.
Sanitary tubes.
Sawdust.
Scouring rock.
Screw propeller blades.
Screws, wet, from tanners, in casks.
Seeds, for crushing for oil.
Shafts of screw propellers or paddle-wheels, iron or steel.
Shakings from cotton mills, for paper-making.
Shumac.
Silicate of soda.
Slag, glass (refuse from glass works).
Slate, ground for cement.
Slummage.
Soapstone.
Soda.
Soda ash.
Sole bars, wooden.
Sole plates, iron or steel, for steam hammers.
Soot.
Spar, ground.
Spelter, in plates or ingots.
Spetches, wet, from tanners, in casks.
Sticks, pea and bean.
Stone, sawn or roughly wrought-up, such as troughs or sinks.
Straw, hydraulic or steam press packed.
Stucco, ground.
Sugar mats, old, for paper-making.
Sulphate of alumina.

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Sulphate of ammonia.
Sulphate of copper, for export in 10-ton lots.
Sulphate of iron.
Sulphate of lime.
Sulphate of magnesia.
Sulphate of soda.
Sulphur, crude or unmanufactured.
Targets, iron or steel.
Terra alba.
Terra-cotta blocks and bricks.
Tiles, e.o.h.p.
Timber, actual machine weight.
Tow waste, hydraulic or steam press packed.
Trenails.
Troughs, earthenware and fire-clay.
Turnips, e.o.h.p.
Turn-tables, in part.
Umber.
Valonia.
Vegetable tar.
Washers, iron or steel.
Waste paper, for paper-making.
Whiting and whitening.
Wire (of iron or steel, including tinned or galvanised), in wrapped coils, or not otherwise packed.
Wolfram.
Wood fibre, hydraulic or steam press packed.
Wood pulp or half-stuff.
Wood turnings, for fish-curing.
Wooden blocks, for paving.
Wooden boxes, for packing tin plates.
Zinc, white, or oxide of zinc.
Zinc, carbonate of.
Zinc ingots or plates.
Zinc sheets or rods.

When merchandise specified in Class C. is consigned in quantities of less than two tons, the Company may charge for such consignment the conveyance rates applicable to Class 1.: Provided that the Company shall not charge more than as for a consignment of two tons.

CLASS 1.

Acetate of lead or sugar of lead.
Acetate of soda.
Acorns.
Ale and porter, in casks.
Ale and porter, bottled, in cases or casks.
Algerian fibre, machine pressed.
Anthracene, crude, in casks.
Ashes, pot and pearl.
Axles and wheels, locomotive engine and tender.
Bagging, old, in bundles, for paper-making.
Bags, paper, in bags or bundles.
Barilla.
Bark, loose, for tanning.
Bars, roller, and bed plates for pulling rags.
Beds and cylinders of steam engines.
Benders (for rails) or jim crows.
Bichrome and bichromate of potash in casks.
Bichromite of soda, in casks.
Birch or ling, for besoms.
Biscuits, dog, in bags or casks.
Bisulphite of lime.
Black oil or black varnish, common, in casks.
Blistered steel.
Bloom trucks.
Boards and rollers (wooden) for drapers cloth and for folding paper.
Bogies, puddlers tap.
Bolt and nut machines.
Bones, packed.

Boring, drilling, planing, punching, shearing, and slotting machines (for metal work), including beds and tables.

Bottles and bottle stoppers, glass, black, green, or pale, common, packed.

Boundary posts (street), iron.

Box iron heaters.

Brattice cloth.

Brick-making machinery.

Bricks, air, cast-iron.

Broom and brush heads and blocks, wooden, without hair.

Builders implements, not new, and consisting of mixed consignments of the following :—

- Barrows.
- Centerings.
- Crab winches.
- Hoists.
- Mortar boards.
- Mortar mills.
- Poling boards.
- Pulleys.
- Ropes.
- Scaffold boards.
- Steps.
- Struts.
- Trestles.
- Wheeling pieces.
- Wheeling planks.
- Windlasses.

Bullets, small-arm.

Buttermilk.

Cabbages, e.o.h.p., minimum 20 cwt. per waggon.

Candles, paraffin, tallow, and stearine.

Cannon.

Capstan bars.

Capstans and windlasses.

Carbonate of ammonia, in casks or iron drums.

Carbonate of potash, in casks.

Cardboard.

Castings (iron or steel), light, in boxes, crates, cases, casks, or hampers.

Castings, mill, forge, and other rough and heavy unfinished castings, iron or steel.

Castor oil, for lubricating machinery, in tins, packed in wooden cases.

Caustic potash.

Chaff, hydraulic or steam press packed.

Chairs and seats, garden, in parts, packed in cases.

Charcoal, e.o.h.p.

Chestnuts.

Chestnuts, extract of, for tanning purposes.

Chimney pieces, slate, not enamelled nor polished.

Chimney pots, earthenware or fire-clay.

China grass, machine pressed.

Chloride or muriate of zinc.

Cider and perry, not bottled, in casks.

Cider and perry, bottled, in cases or casks.

Clips (iron) for boxes.

Clog irons.

Clog soles.

Cloth oil and wool oil.

Codilla, in bales, hydraulic or steam press packed.

Cones, fir, in sacks or bags.

Copper precipitate.

Copper regulus.

Copperas, e.o.h.p.

Copra (or oil pulp of cocoanut), dried.

Cotton, raw, in press-packed bales.

Crab winches.

Cryolite.

Disinfecting powder.

Distilled water, in cases or casks.

Doors and door frames, iron or steel.

Drums, iron or steel, for collieries.

Dunnage mats.

Dye liquor refuse, from print or dye works.

Dye woods, e.o.h.p.

Dye woods, ground, in chips, in bags.

Esparto grass, machine pressed.

Extract of bark or wood, for tanning.

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Farina, calcined.
Felt, asphalted roofing, or tarred felt, or tarred sheathing.
Fencing standards, iron, in concrete blocks.
Fern, for litter or packing, hydraulic or steam press packed.
Firewood, in bundles.
Fish—
Cod and ling, dried.
Cod and ling, thoroughly cured in brine.
Herrings, thoroughly cured in brine.
Red herrings, thoroughly cured.
All other fish, thoroughly salted or dried.
Cockles, limpets, mussels, whelks, and periwinkles.
Flax, in bales, minimum 60 cwt. per waggon.
Flax straw, machine pressed.
Flax waste, for paper-making.
Fleshings and glue pieces, dry, in casks and bags.
Fleshings and glue pieces, wet, from tanners, not packed.
Flower sticks, wooden or cane, common.
Frames and bed plates, iron or steel, for timber sawing, boring, morticing, or planing machinery.
Frames, iron or steel, for targets.
Fruit, minimum 20 cwt. per waggon—
Apples.
Gooseberries.
Pears.
Fruit pulp, in casks.
Fuel Economisers, iron or steel.
Ginger beer, in cases and casks.
Glass blocks, for pavement (fitted in iron frames).
Glucose.
Glue.
Goat skins, thoroughly salted or dry, in bales or bundles.
Granite, polished or dressed, in blocks or slabs, exceeding 2 ins. in thickness.
Grates, wooden, or wrought-iron, for purifying gas.
Grease, in casks.
Greaves.
Hair, wet, from tanneries.
Handles, broom, mop, rake, fork, spade, shovel, hammer, and pick.
Handspikes, wooden.
Haricot beans.
Hay, machine pressed, minimum 40 cwt. per waggon.
Headstocks, iron or steel, for collieries.
Hemp, in bales, hydraulic or steam press packed.
Hemp seed.
Hemp waste, for paper-making.
Hide cuttings.
Hides, thoroughly salted or dry, in bales or bundles.
Hoofs, horns, and horn tips, buffalo, cow, goat, ox, and sheep, packed.
Horns, with slough.
Horse shoes.
Hurdles, iron or wood, e.o.h.p.
Hydraulic machinery and presses.
Iron and steel, the following articles of:—
Axle boxes.
Dredger buckets and bucket backs.
Malt kiln flooring (iron wire) packed in cases.
Pans, annealing.
Plates—
Canada.
For glass rolling.
Tin.
Railway buffers, buffer heads, rods and sockets.
Railway springs.
Railway spring steel.
Rings.
Scrap, e.o.h.p.
Smith's hearths.
Standards for hurdles, not packed.

Iron and steel—*cont.*
Tinned iron, in sheets, not packed.
Tram couplings.
Traps, sink and stench.
Jute.
Jute waste, for paper-making.
Kelp.
Kips, thoroughly salted or dry, in bales or bundles.
Ladders, iron.
Ladles, puddlers.
Lasts, iron.
Lathe beds.
Lead ashes, in bags.
Lead piping, in cases or casks.
Leather cuttings or parings, waste.
Lemon peel and citron peel.
Lime water, in casks.
Linen waste, for paper-making.
Litharge.
Malleable iron castings.
Marble chip pavement.
Megass, machine pressed.
Mexican fibre, machine pressed.
Millboard.
Mineral and aerated waters, in cases and casks.
Molasses.
Mortar mills.
Muriate of ammonia.
Mustard seed.
Nail (iron) cutting machines.
Nitrate of lead.
Oil cloth cuttings, for paper-making.
Oils, not dangerous, in casks or iron drums, round or tapered at one end, as follows :—
Carbolirium avenarius.
Castor.
Cocoanut.
Cod.
Cod liver.
Colza.
Cotton seed.
Earth nut or ground nut.
Haddock.
Herring.
Lard.
Linseed.
Lubricating mineral.
Menhadden.
Niger.
Oleic.
Oleine or tallow.
Palm.
Palm nut.
Pine.
Rape seed.
Rosin.
Seal.
Shale, crude.
Soap.
Sod.
Sperm.
Tar, mineral.
Train.
Whale.
Wool or cloth.
Old or scrap lead.
Onions.
Orange peel.
Osiers, twigs, and willows, green and wet.
Palmetto leaf, machine pressed.
Paper, for news printing, packing, or wrappering.
Paper, in rolls for printing paper hangings.
Paraffin scale.
Paraffin wax.
Pasteboard.
Pelts, wet, from tanners, not packed.
Piassava, hydraulic or steam press packed.
Pickblocks or pickheads, iron or steel, e.o.h.p.
Pigs, dead, in carcase not packed or wrapped, carried in open waggons at traders request.
Pipes, air, for ventilators.
Pit cages.
Plaster slabs, fibrous.
Plate or sheet iron, annealed.

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Plough arm and share moulds and moulding, iron or steel.
Plough bodies, breasts, colters, side caps, frames, or rests, iron or steel.
Plough plates, finished, iron or steel.
Plough shares, finished, iron or steel.
Plough slades and wheels, iron or steel.
Provender, green.
Provender, horse or cattle, hydraulic or steam press packed.
Pumice stone.
Pumping machines.
Pumps (except hand pumps, brass), and pump castings, e.o.h.p.
Punching bears.
Putty, e.o.h.p.
Rags, not oily.
Red lead.
Retorts, clay.
Retorts, fire-brick.
Rivetting machines.
Rod lead.
Rollers, garden or hand.
Rosin.
Rotten stone.
Saccharine, in casks, bags, pails, or cans.
Sad irons, packed.
Salammoniac.
Saltpetre.
Sawing machines, for sawing iron.
Scrap tin.
Screw jacks, iron.
Screws, dry, in casks or bags.
Screws, wet, from tanners, not packed.
Scythe stones.
Seal pipes or valves, iron or steel.
Shafts, wrought iron, for driving mill wheels, finished.
Sheep dipping powder.
Sheepskins, in casks and thoroughly salted, or dry in bales or bundles.
Sheep wash.
Sheet lead.
Ships stern or rudder frames.
Shot, lead, in bags, packed in cases.
Shovel plates, iron or steel, finished.
Silicate cotton or slag wool, in casks or bags.
Sink traps, earthenware or fireclay.
Sinks, earthenware or fireclay.
Size, in cases or casks. 5
Skid pans or waggon slippers, iron.
Slate slabs, not polished or enamelled, in cases.
Soap.
Solder. 10
Spade trees.
Spelter sheets, in casks or cases.
Spetches, dry, in casks or bags.
Spetches, wet, from tanners, not packed. 15
Spile pegs.
Stampings, iron or steel, rough, unfinished, not tinned or galvanised.
Staples, iron.
Steam hammers. 20
Stearine.
Stone cutting and crushing machines.
Straw, machine pressed, minimum 40 cwt. per waggon.
Strawboard. 25
Strawboard cuttings, for paper-making.
Studs, iron or steel.
Sugar, in bags, cases, or casks.
Sulphate of copper, e.o.h.p.
Sulphur, e.o.h.p. 30
Surat bagging, for paper-making.
Syrup, in casks.
Tabling, water (cement).
Tallow.
Tares or wrappers, for cotton bales. 35
Telegraph insulators, earthenware, packed.
Telegraph stores—
Wrought-iron double swivels.
Malleable cast-iron double wall brackets. 40
Malleable cast-iron saddles.
Terra cotta caps or stoppers.
Timber, measurement weight.
Tin ore. 45
Tow, in bales, minimum 60 cwt. per waggon.

Tow waste, for paper-making.
Treacle.
Trestles, wrought iron.
Turpentine, crude, in casks.
Valves, gas or water, iron or steel.
Vegetables, dessicated, for cattle food.
Vegetables, in brine.
Vegetables, not packed, e.o.h.p., minimum 20 cwt. per waggon.
Verjuice, in casks.
Vinegar, in casks.
Waggon bodies, in pieces bound together.
Washing and wringing machine rollers.
Washing powder and paste.
Wheelbarrows, in parts.
Wheels, cart and plough, iron or steel.
Wheels, fly or spur.
Wheels, wheelbarrow, iron or steel.
White lead.
Winches, hand.
Window guards, iron.
Woad.
Wood fibre, in bales.
Wood pulp middles.
Wood treads, in frames for stairs.
Yellow metal plates and sheathing.
Zinc ridges.

Class 2.

Acetate of alumina, in casks or iron drums.
Acetic or wood acid, in casks.
Acid, cresylic, in casks, or iron drums.
Agricultural and portable steam and traction engines, vertical steam engines, horizontal steam engines, steam ploughs, steam plough vans, steam tram engines, threshing machines, road rollers, and harrows.
Agricultural machines and implements, in cases.
Agricultural seeds.
Ale and porter (bottled) in hampers.
Alkanet root.
Ammonia, liquid, in casks or iron drums.
Animal guts, in casks.
Annotto, in casks.
Antimony regulus.
Argols or tartars.
Arrowroot.
Arsenic acid, in casks.
Asbestos.
Axle boxes, brass.
Axles, not in the rough, e.o.h.p.
Bacon and hams, cured, packed.
Bagging, e.o.h.p.
Bags, hand, common (hemp).
Bags, paper.
Balusters, iron.
Bark, for tanning, e.o.h.p.
Bark, ground, packed in bags.
Baskets, iron.
Bass and whisk, for making brooms.
Bass baskets.
Bass mats and bass matting.
Bedsteads, metallic, in cases.
Beef, in brine.
Bees wax.
Besoms.
Bicarbonate of soda, in boxes, crates, or hampers.
Biscuits.
Blackberries or brambleberries.
Blacking.
Black lead.
Bleaching liquids, in casks.
Blood, in casks or iron drums.
Blue powder and stone and smalts, in casks, cases, boxes, or bags.
Boards, made of compressed leather.
Bobbins, in bags.

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Boilers and boiler fittings, iron or steel.
Bone-crushing mills.
Bones, e.o.h.p.
Boot and shoe linings, cotton or linen.
Borax.
Bottle stoppers, wood, packed.
Bottles, earthenware or stoneware.
Bowls, iron, nested or packed.
Brass.
Bread.
Bristles, in boxes, cases, or casks.
Bronze (phosphor or manganese) castings and ingots, rough.
Buckets and pails, iron, nested or packed.
Bungs, wood, or shives.
Buoys.
Butter, in casks, firkins, baskets, or boxes, or in tubs or cools with wooden lids.
Cabbages, packed, e.o.h.p.
Caloric engines.
Canary seed.
Candles, e.o.h.p.
Carbolic acid, liquid, in casks or iron drums.
Carbolic seed dressing.
Carbonate of magnesia.
Carbonate of potash, e.o.h.p.
Cartridge cases, exploded.
Cattle food, prepared.
Celery.
Chains and traces, packed.
Chairwood, rough, undamageable.
Cheese, in boxes, casks, and cases.
Chestnuts, extract of, e.o.h.p.
Chicory.
Chimney pieces, cement or concrete.
China, in casks or crates.
Chlorate of potash.
Chlorate of soda, packed in hampers or casks.
Chloride of potash, packed in hampers or casks.
Chocolate.
Cider and perry (bottled), in hampers.
Clothes pegs, packed.
Coal scuttles, common, iron or galvanised, nested or packed.
Cobalt ore.
Cocoa.
Cocoa nut fibre, husk, shell, or matting, packed.
Codilla, e.o.h.p.
Coffee.
Coir junk.
Coir rope.
Colliery screens or tips.
Colours, in casks or iron drums, or in tins packed in cases.
Confectionery, in cases, casks, or boxes.
Copper.
Corn flour, patent.
Corves (small waggons for use in collieries).
Cotton, raw, e.o.h.p.
Cotton and woollen waste.
Cranberries.
Cranes or cranework.
Crucibles, plumbago or clay
Curling stones.
Currants (grocer's).
Cyanite, in casks or iron drums, or in tins packed in cases.
Dandelion roots.
Dates.
Delta metal.
Dextrine.
Dishes, iron.
Distilled water, e.o.h.p.
Dollies and peggies, wooden, for laundry purposes.
Dripping, in casks, boxes, tins, or tubs with lids.
Dubbin.
Earthenware, in casks or crates.
Electric accumulators.
Electric insulators.
Emery.
Emery dust.
Emery rollers and emery wheels, in boxes or cases.
Envelopes, straw, for bottles.
Fat, raw.

Felt (not carpeting).
Figs, dried.
Files or rasps, iron or steel.
Filters, cast-iron.
Fire boxes of portable steam and traction engines.
Fire lighters.
Fish—
Herrings and sprats, in any state.
All fish, partially cured, smoked, or dried, e.o.h.p.
Crabs.
Flag poles or venetian masts.
Flax, in bales, e.o.h.p.
Flax seed, for sowing.
Flax waste, e.o.h.p.
Fleshings and glue pieces, e.o.h.p.
Flocks.
Flower pots, clay, common, unglazed.
Forges, portable, in pieces, packed in boxes.
Forges, portable, whole, cased in iron.
Forks, digging, in cases.
Fruit, crystallised, in boxes, cases, or casks.
Fruit—
Apples, gooseberries, and pears, e.o.h.p.
Cherries, raspberries, strawberries, in tubs for jam.
Fruit, ripe, e.o.h.p.
Funnels, air or ship.
Fustic liquor.
Gall nuts.
Garancine.
Gas engines, complete.
Gates, iron or wooden, common.
Ginger beer, e.o.h.p.
Glass blocks, for pavement (not fitted in frames).
Glycerine, in casks or iron drums.
Grates, ovens, ranges, or stoves, common or kitchen.
Gridirons.
Grindstones, e.o.h.p.
Gums, in mats, bags, casks, or cases.
Gun carriages.
Gun metal.
Hair, raw, pressed, in bales or bags.
Hames.
Harrow shafts, tube iron or tube steel.
Hay, e.o.h.p., minimum load 30 cwt. per waggon.
Hay forks, in cases.
Hay rakes, hand, in cases.
Hemp, e.o.h.p.
Hessians, jute.
Hinges, iron or steel.
Hoes, hand.
Hollow-ware, cast iron, nested and packed.
Hooks, ceiling.
Hooks, clip, galvanized iron.
Hoops, wooden.
Ice.
Ink, except printers, in boxes, casks, or crates.
Iron liquor or muriate of iron.
Ivory black.
Ivory waste or dust.
Japan wax.
Jars, earthenware or stoneware.
Kitool fibre.
Knife boards.
Ladders, wooden.
Laminated lead.
Lard, in casks, boxes, tins, or tubs with lids.
Lasts, wooden.
Lead piping, e.o.h.p.
Leather, undressed, except in cases or crates.
Lemon and lime juice, in cases or casks.
Lemons.
Linen waste, e.o.h.p.
Linen yarn, press packed, in bunches or bales.
Linens, grey, unbleached.
Locomotive engines and tenders, loaded in railway companies waggons.
Logwood liquor.

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Machinery, in parts, in cases, e.o.h.p.
Madders.
Marbles, children's.
Margarine, in casks, firkins, or boxes, or in tubs with wooden lids.
Millstones, finished.
Mineral and aërated waters, e.o.h.p.
Molliscorium.
Mordant liquors (including alum liquor, dunging liquor, and redliquor).
Mungo.
Mushroom pulp.
Mushroom spawn.
Mustard, in casks, cases, boxes, or bags.
Nails, zinc.
Netting, of iron wire.
Newspapers, in bales.
Nickel ore.
Nitrate of copper, in casks.
Nitrate of iron.
Nuts, e.o.h.p.
Oakum.
Oils, not dangerous, in casks or iron drums, round or tapered at one end, e.o.h.p.
Oranges.
Orchilla weed.
Osiers, twigs, and willows, brown.
Paints, in casks or iron drums, or in tins packed in cases.
Palisades, iron.
Palm leaves.
Paper, emery, sand, and tobacco.
Paper hangings, common, in bales.
Paraffin and petroleum oils, in owners tank waggons, not giving off inflammable vapour under 73° Fahr., when tested in the manner set forth in the Petroleum Act, 1879.
Parian, in casks or crates.
Pelts, e.o.h.p.
Pewter.
Piassava, e.o.h.p., minimum 20 cwt. per waggon.
Pickaxes.
Picker bends.
Pickles, in boxes, cases, or casks.
Pimento.
Piston rods, steel.
Plough shafts, tube iron or tube steel.
Plumbago.
Polishing paste.
Pork, in brine.
Poultry pens (wire), folded.
Preserves (fish, fruit, meat, and provisions), in casks, boxes, or cases.
Printed matter, not bound.
Provender, horse or cattle, e.o.h.p.
Prunes, in casks or mats.
Pumps and pump castings, in cases.
Rags, pulled.
Railway waggon bodies.
Railway waggon bodies, fitted together.
Railway waggon brasses.
Rain water pipes, for spoutings and their connexions, cast-iron.
Raisins.
Reed webbing, for ceilings.
Revalenta arabica.
Rhubarb and rhubarb roots
Rizine.
Rolls, iron, e.o.h.p.
Ropes.
Ropes, wire.
Sacks.
Sad irons, e.o.h.p.
Safes, iron or steel.
Sago.
Sauces, in boxes, cases, or casks.
Scoops, iron.
Scrap zinc.
Screw propellers.
Scrolls, iron (for fixing springs to carts and carriages).
Screws, e.o.h.p.
Seal skins, wet and salted.
Seaweed (dry) or alga marina.
Seeds, agricultural, e.o.h.p.
Semolina.
Sheets, wool, new.
Ships' masts.
Ships' ventilators.
Shoddy.

Shoemakers' wax.
Shot, lead, e.o.h.p.
Shumac liquor.
Signal posts (railway) and materials belonging thereto.
Silicate cotton or slag wool, e.o.h.p.
Sinks, cast iron, not enamelled.
Size, e.o.h.p.
Slate pencils.
Slates, writing.
Spades and shovels, iron or steel.
Spelter sheets, e.o.h.p.
Spetches, e.o.h.p.
Spirits of tar, in casks or iron drums.
Spoutings and connexions, iron or steel.
Stable fittings (except enamelled), iron or steel.
Stannite of potash.
Stannite of soda.
Staples (wire), for bookbinders.
Starch, in casks, cases, boxes, or bags.
Steam excavators or steam navvies.
Steel, bars and bundles.
Stone blue, in casks, cases, boxes, or bags.
Stone, carved for building purposes, e.o.h.p.
Strickles, in boxes or cases.
Sugar mills.
Tamarinds.
Tapioca.
Tapioca flour.
Tarpaulings.
Tartar, liquid.
Terne metal.
Tin, in blocks, cakes, or ingots.
Tincal.
Tinfoil.
Tin liquor.
Tobacco juice, in casks.
Tobacco leaf, in hogsheads or tierces.
Tobacco stoves or presses.
Tools, well-boring and pit-boring.
Torchwick.
Tow, in bales, e.o.h.p.
Tow waste, e.o.h.p.
Tubes, coated with brass.
Tubes, electro-coppered.
Tubes, steam, brass or copper.
Tubs, iron.
Tue irons.
Turmeric.
Turpentine, spirits of, in casks or iron drums.
Twine.
Umbrella sticks, in the rough.
Varnish, in casks or iron drums.
Vegetable wax.
Vegetables, packed, e.o.h.p.
Vices, iron or steel.
Vinegar, in cases.
Walking sticks, in the rough.
Walnuts, green, and husks.
Washers, leather.
Weighing machines, large (those used for weighing railway or other vehicles, and also cattle).
Window frames, iron, packed in cases.
Window shutters, iron or steel.
Wines, British, in casks.
Wire, cotton-covered, in casks, hampers, cases, and canvas-covered coils.
Wire, iron or steel, e.o.h.p.
Wire, lead.
Wood, bent, rough, unfinished.
Wool, raw.
Yarn, twist, and weft, cotton and linen, in bales, bags, wrappers, cases, boxes, skips, or casks.
Yeast, in bags, or in bags in baskets, hydraulic press packed, dry.
Yellow metal bolts and nails.
Yellow metal rods.
Zinc bars.

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Class 3.

Ale coolers.
Algerian fibre (not hydraulic or steam press packed or machine pressed), in full truck loads, or in consignments of 20 cwt.
Alizarine, in casks or iron drums.
Almonds.
American or leather cloth.
Ammonia, liquid, in bottles (other than carboys) in cases.
Angelica root.
Aniseed.
Apple rings, in slices, dried.
Apples, dry, or pippins.
Arsenic acid, e.o.h.p.
Awl blades.
Bacon and hams, cured, e.o.h.p.
Baking powder.
Baths.
Bayonets.
Beadings and mouldings, gilt, lacquered, or varnished, packed in boxes.
Bed keys.
Bedsteads, e.o.h.p.
Beehives, made of wood.
Bellows, packed.
Bellows, pipes.
Bell ringing (carillon) machinery.
Bells, small.
Belting, for machinery.
Bichromate of soda, e.o.h.p.
Bichrome and bichromate of potash, e.o.h.p.
Bicycle stands, wrought iron.
Bins, corn or wine.
Bit burnishers, packed.
Bits, iron or steel.
Bitters, in casks or cases.
Black beer.
Bladders, in casks.
Blankets.
Blanks, bronze and copper, for stamping for coins.
Blinds, paper.
Blinds, venetian and chain, in cases, crates, or frames.
Blowing engines.
Blow pipes.
Blue, laundry, liquid, in boxes, cases, casks, or iron drums.
Blue paste.
Blue powder and stone and smalts, e.o.h.p.
Boards, parquet flooring.
Boards, washing.
Bobbins, e.o.h.p.
Bolts, door.
Books, e.o.h.p.
Boothing or stalling.
Boots and shoes, including goloshes, and leather cut into boot shapes, in casks, cases, or boxes.
Boracic acid.
Bottle jacks.
Bottles and bottle stoppers, glass, e.o.h.p.
Bowls, wood or iron, e.o.h.p.
Boxes or trunks, tin or sheet iron, packed in crates or cases.
Boxes, safety.
Box or italian irons.
Braces, except silk, for wearing apparel, in bales, packs, or trusses.
Brands, iron or steel.
Broom and brush heads, e.o.h.p.
Brooms and brushes, packed.
Brush backs, xylonite.
Buckets and pails, e.o.h.p.
Buckles, brass, iron, or steel.
Buckram.
Bullet moulds.
Busks, wooden, horn, or steel.
Butter, in crocks in wood, or in crocks when packed with straw in baskets.
Buttons, except gold, silver, or plated.
Calicoes.
Calipers.
Candlesticks, brass or iron.

Candlewick.
Canvas.
Cap peaks, not oily.
Caps, men's or boys', except silk, in bales, packs, or trusses.
Capsules, metal, in cases.
Carbon candles, for electric lighting.
Carbonate of ammonia, in cases.
Card cloth.
Cards for weaving, packed in cases.
Carpet bag frames.
Carpet bags.
Carpet beating machines.
Carpet lining (cork).
Carpeting.
Carpeting (cork).
Carraway seeds.
Carriage and cart steps.
Carriage and foot warmers.
Cartridge cases, brass.
Castings, brass, German silver, or nickel.
Castings, iron, light, e.o.h.p.
Castings, sanitary, iron or steel, for public urinals and waterclosets.
Castings, steel, e.o.h.p.
Castor oil, in boxes.
Castors of all kinds.
Cellarets, wrought-iron.
Chaff, in bags, not for cattle feeding.
Chains, curb or door.
Chalk, French.
Chalk, prepared.
Cheese, e.o.h.p.
Cheese presses.
Chemicals, not dangerous, corrosive, or explosive, in casks, iron drums, bales, or bags.
Chimney pieces, marble or slate, e.o.h.p.
China, in hampers.
China grass (not hydraulic or steam press packed, or machine pressed), in full truck loads, or in consignments of 20 cwt.
Cinder sifters.
Cinnabar ore.
Clasps, boot, book, or belt, except gold, silver, or plated.
Clock dials.
Clogs, in casks, cases, or boxes
Clothing (exclusive of silk goods), if packed in trusses, packs, or bales.
Clothing, for soldiers, police, prison warders, railway porters, postal, and telegraph (except busbies or helmets).
Clothing, waterproof (except oily canvas clothing).
Cloth, linen, packed.
Coach and upholsterers' trimmings, in packs, trusses, or bales.
Coach fittings, metallic, packed.
Coach wrenches.
Coal scuttles, metallic, packed, in cases or boxes.
Cob nuts.
Cocoa nut fibre, husk, shell, or matting, e.o.h.p.
Cocoa nuts.
Coffee extract or essence.
Coffee mills, small hand.
Coffin furniture, metallic.
Coin, copper or bronze.
Collars, dog.
Collars, rush, for horses.
Colliery pulleys.
Colours, in cans, hampers, boxes, or iron bottles.
Combs.
Copying presses.
Coquilla nuts.
Cordials, in casks or cases.
Coriander seed.
Corkscrews.
Cork shavings or cuttings.
Cork socks, in boxes, cases, or casks.
Corkwood.
Cornice poles, wood, in bundles, without rings or ends, not gilt.
Corozzo nuts.
Cotton and linen goods, in bales, boxes, cases, packs, or trusses, e.o.h.p.

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Cotton and linen thread.
Cotton and woollen slops, in hampers, bales, or boxes.
Cotton wool, dressed and carded.
Crucibles, e.o.h.p.
Cummin seed.
Curry combs.
Cutlery.
Cyanite, in cans, hampers, boxes, or iron bottles.
Dies and die stocks.
Dishes, wood.
Drapery, heavy.—Packages containing any of the following articles:—
American or leather cloth.
Blankets.
Boots and shoes, including goloshes, in casks, cases, or boxes.
Buckram.
Buttons, except gold, silver, or plated.
Calicoes.
Carpet bags.
Carpeting.
Clothing, waterproof (except oily canvas clothing).
Cotton and linen goods, in bales, boxes, cases, packs, or trusses, e.o.h.p.
Cotton and linen thread.
Cotton and woollen slops, in hampers, bales, or boxes.
Druggeting.
Elastic webbing.
Eyelets.
Flannel.
Floor cloth, including oil cloth, boulinikon, kamptulicon, and linoleum.
Hearth rugs, except skins.
Hooks and eyes.
Huckabacks.
India-rubber goods, except shoes and goloshes.
Laces, boot and stay, cotton or leather.
Linen cloth, packed.
Drapery, heavy, &c.—*cont.*
Paper collars, cuffs, and shirt fronts.
Shirts, cotton, woollen, and linen, in bales, packs, or trusses.
Stays, not silk.
Tapes.
Thimbles, not gold, silver or plated.
Wadding, cotton.
Woollen and worsted yarn.
Dripping, in crocks in wood, or in tubs, or tins without lids.
Druggeting.
Drugs, in casks, bales, or bags.
Drysalteries, in casks.
Dust preventers.
Dutch metal and leaf.
Dyes, in casks and iron drums.
Earth closets.
Earthenware, in hampers.
Eggs, in boxes, cases, or crates.
Elastic webbing.
Electric batteries.
Electric cable.
Emery rollers and emery wheels, e.o.h.p.
Esparto grass (not hydraulic or steam press packed, or machine pressed), in full truck loads, or in consignments of 20 cwt.
Eyelets.
Fenders, packed in crates, cases, or boxes.
Fenders, kitchen, iron or steel.
Fenders, ships', cork or hemp.
Fents and tabs, cotton and woollen.
Fern, for litter or packing, e.o.h.p., minimum 20 cwt. per waggon.
Ferrules, iron, brass, or steel.
Filberts.
Filters, earthenware.
Fire engines, steam.
Fire escapes.
Fire extinguishers (hand grenade), packed.
Fire guards, metal.

Fire irons.
Fish, fresh, e.o.h.p.
Fish glue.
Fish hooks.
Flannel.
Flax, e.o.h.p.
Flax straw (not hydraulic or steam press packed, or machine pressed), in full truck loads, or in consignments of 20 cwt.
Floor cloth, including oil cloth, boulinikon, kamptulicon, and linoleum.
Flour-dressing or purifying machines.
Flower roots (not orchids).
Forges, portable, e.o.h.p.
Forks and spoons
Forks, toasting, iron.
Fruit, ripe, not hot house :—
Apricots.
Cherries.
Nectarines.
Peaches.
Raspberries.
Strawberries.
Fustian and corduroy.
Gas fittings, in parts, except brass and copper tubing.
Gas meters.
Gelatine.
German silver, in sheets.
German silver wire, in casks and cases.
Ginger, e.o.h.p.
Gins, wheels with frames, for hoisting purposes.
Glass beads.
Glass, crown, rolled or sheet.
Glass, flint, e.o.h.p.
Glass, plate, rough.
Glass, plate, not silvered.
Gloves, cotton, woollen or worsted, in bales, packs, or trusses.
Gloves, rough leather, for labourers.
Glycerine, in cases or boxes.
Glycerine grease, for lubricating purposes, in tins packed in wooden cases.
Goat skins, e.o.h.p.
Granite, polished or dressed, e.o.h.p.
Grapes, packed in cork dust or sawdust, in casks.
Grindery.
Groceries, mixed.
Packages consigned as mixed groceries may include any grocery articles set out in classes hereinbefore mentioned, or in this class, the following articles in Class 4 :—
Cardamoms.
Citric acid.
Confectionery, e.o.h.p.
Crystallised fruits, e.o.h.p.
Meat pies.
Preserved ginger.
Sausages.
Yeast, e.o.h.p.
and the following in Class 5 :—
Blue, laundry liquid, e.o.h.p.
Cinnamon.
Cloves.
Cochineal.
Cordials, e.o.h.p.
Extract of meat.
Indigo.
Isinglass.
Lard, e.o.h.p.
Nutmegs.
Gums, e.o.h.p.
Gun barrels, rough.
Gun locks and gun furniture.
Gun stocks.
Gun wads.
Guns, machine, in cases.
Gutta-percha, raw.
Guttering or corrugating machines, e.o.h.p.
Hair, for manufacturing purposes, e.o.h.p.
Hair cloth.
Hammer heads, e.o.h.p.
Hammers (not steam), e.o.h.p.
Handcuffs.
Handles, chest and saucepan.
Harness or saddlery, in tin-lined cases or casks.

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Hardware—Packages containing any hardware articles (not gold, silver, or plated) set out in classes hereinbefore mentioned, or in this class, and any of the following articles (not gold, silver, or plated), viz.:—

Awl blades.
Bayonets.
Bed keys.
Bedsteads, metallic, in strawed bundles.
Bellows, packed.
Bellows pipes.
Bells, small.
Bicycle stands, wrought iron.
Bit burnishers, packed.
Bits, iron or steel.
Blanks, bronze and copper, for stamping for coins.
Blow pipes.
Bolts, door.
Bottle jacks.
Boxes, safety.
Boxes or trunks, tin or sheet iron, packed in crates or cases.
Box or Italian irons.
Brands, iron or steel.
Brasswork, spun or stamped, packed.
Buckles, brass, steel, or iron.
Bullet moulds.
Busks, wooden, horn, or steel.
Buttons.
Calipers.
Candlesticks, brass or iron.
Carpet bag frames.
Carriage and foot warmers.
Cartridge cases, brass.
Cart steps.
Castings, brass, German silver, or nickel.
Castors, of all kinds.
Chains, curb or door.
Cinder sifters.
Clasps, book, boot, or belt.
Coach fittings, metallic, packed.
Coach wrenches.

Hardware, &c.—*cont.*

Coal scuttles, metallic, packed in cases or boxes.
Coffee mills, small hand.
Coffin furniture, metallic.
Collars, dog.
Copying presses.
Corkscrews.
Curry combs.
Dies and die stocks.
Dust preventers.
Eyelets.
Fenders, packed in crates, cases, or boxes.
Ferrules, iron, brass, or steel.
Fire guards (metal).
Fire irons.
Fish hooks.
Forks and spoons, metal.
Forks, toasting, iron.
Gas fittings, in parts, except brass, and copper tubing.
Gins, wheels, with frames for hoisting purposes.
Grindery.
Gun barrels, rough.
Gun locks and gun furniture.
Hammer heads, packed.
Hammers, not steam, e.o.h.p.
Handcuffs.
Handles, chest and saucepan.
Harness fittings, metallic, packed.
Hat and umbrella stands, cast-iron.
Hay forks, in bundles.
Hinges, brass.
Hooks, boot and button, hat and coat, and reaping.
Hooks and eyes.
Horse clippers, packed in casks or cases.
Jacks, small.
Japanned ware, in casks or cases.
Kitchen fireplace stands.
Knitting pins.
Knives or blades for cutting machines.
Knobs, range, iron or steel.

Hardware, &c.—*cont.*
- Knobs, door.
- Knockers, door.
- Ladles, not puddlers', iron.
- Lamp burners.
- Lanterns, tin or iron.
- Latches, door.
- Locks and keys.
- Magnets.
- Match boxes, japanned or enamelled tin, new, empty, packed.
- Matchetts.
- Medals, brass or copper.
- Military ornaments.
- Mortars and pestles, iron or steel.
- Nails and rivets, brass or copper.
- Needles (in tin-lined cases).
- Nut crackers.
- Ornaments for saddlery, brass, iron, or steel.
- Ornaments for uniform.
- Pans, ash.
- Pans, copper, for closets.
- Pans, dust.
- Pans, warming.
- Patten rings.
- Patterns, travellers', hardware.
- Percussion cap shells.
- Pins, metal, in boxes.
- Plates, door.
- Plates, iron, enamelled.
- Pliers.
- Powder flasks.
- Pulley blocks, iron.
- Pulleys, iron.
- Pumps, hand, brass.
- Railway carriage keys.
- Refrigerators.
- Riddles.
- Saddletrees.
- Scales and weights, letter.
- Screws, brass, copper, or zinc.
- Screws, table expanding.
- Scythe blades.
- Scythes and sickles.
- Shears, garden and sheep.
- Ships' logs, metal.

Hardware, &c.—*cont.*
- Shoe horns and pegs, metallic.
- Show tablets, metal, enamelled.
- Skates.
- Skewers, iron or steel.
- Snuffers, iron or steel.
- Spanners.
- Spittoons, iron.
- Spring balances.
- Springs, chair, sofa, mattress, door, or cart.
- Spurs.
- Stair rods.
- Steelyards.
- Stirrups.
- Sugar nippers.
- Sweat scrapers, packed.
- Syringes, garden.
- Tacks.
- Taper holders, metal.
- Taps, brass.
- Terrets.
- Thimbles.
- Tinware, in casks or cases.
- Tips, brassed, for boot heels.
- Tobacco boxes, metal.
- Tools, carpenters', coopers', edge, joiners', masons', and shipwrights'.
- Traps, sink, brass or copper.
- Traps, vermin.
- Trays, iron or steel.
- Trivets, iron or steel.
- Trouser stretchers, iron, portable.
- Trowels.
- Tubes, brass or copper (except steam tubes), packed.
- Umbrella fittings.
- Umbrella stretchers.
- Valves, brass.
- Ventilators, small, iron or brass, for buildings, packed.
- Washers, brass or copper.
- Weights, brass.
- Wire, copper or brass, packed in cases or casks, or in bags.

Hassocks.

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Hat and umbrella stands, cast-iron.
Hats, rush, in bales, trusses, and hampers.
Hay forks, in bundles.
Hay rakes, hand, e.o.h.p.
Hearthrugs, except skins.
Heel balls, shoemakers'.
Helmets, metal, in cases or boxes
Herbs, green.
Hides, e.o.h.p.
Hinges, brass.
Holloware, iron, including kettles, pans, maslins (pots for boiling fruit), and water cans, in casks or crates.
Honey, in casks, or in jars packed in crates or cases.
Hoofs, horns, and horn tips, buffalo, cow, goat, ox, and sheep, e.o.h.p.
Hooks and eyes.
Hooks, boot, button, hat, coat, reaping.
Hops.
Horse clippers, packed in casks or cases.
Hosiery, in bales, packs, or trusses.
Huckabacks.
Hurdles, iron or steel, on wheels.
India-rubber goods, except shoes and goloshes.
India-rubber, raw.
Ink, printers'.
Jacks, small.
Japanned ware, in casks or cases.
Jews' harps.
Joiners' work (common wood)—Beadings and mouldings (not gilt, lacquered, or varnished), doors and door frames, fittings and fixtures for buildings, staircases, balusters and hand rails, window sashes and frames and shutters.
Juniper berries.
Kips, e.o.h.p.
Kitchen fire-place stands.
Knitting pins.
Knives or blades for cutting machines.
Knobs, range, iron or steel.
Knobs, door.
Knockers, door.
Laces, boot or stay, cotton or leather.
Ladles (not puddlers'), iron.
Lamp black.
Lamp burners.
Lamp chimneys (glass).
Lamp frames (street).
Lamp reflectors, enamelled iron.
Lamp wick.
Lamps, paraffin, in parts (except china or earthenware) packed in casks and cases.
Lanterns, tin or iron.
Lard, in bladders, in crocks, in wood or in tubs, or tins without lids.
Latches, door.
Lavatory stands and basins, earthenware, complete, enamelled.
Lawn mowers, packed.
Lead pencils.
Leather, e.o.h.p.
Lemon and lime juice, e.o.h.p.
Life buoys.
Limestone, polished or dressed.
Lime water, e.o.h.p.
Lincrusta and anaglypta (decorative wall papers).
Linen cloth, packed.
Linen yarn or grey linen, e.o.h.p.
Liquorice.
Locks and keys.
Looking-glass frames (common), wood (not gilded) or Dutch metalled.
Maccaroni.
Machines, fitted up, packed, e.o.h.p.
Magnesia.
Magnets.
Marble, packed, and in slabs cemented together.
Margarine, in crocks in wood, or in crocks when packed with straw in baskets.
Marquees or tents.
Mastic.
Match boxes, japanned or enamelled tin, new, empty, packed.
Matchetts

Medals, brass or copper.
Mats and matting, e.o.h.p.
Megass (not hydraulic or steam press packed, or machine pressed), in full truck loads or in consignments of 20 cwt.
Merinoes, in bales, packs, or trusses.
Mexican fibre (not hydraulic or steam press packed, or machine pressed), in full truck loads or in consignments of 20 cwt.
Mica.
Military ornaments, except gold, silver, or plated.
Milk.
Milk cans and pans.
Millboard rollers (for winding paper in cases).
Mops.
Mortars and pestles, iron or steel.
Mortars and pestles, marble.
Moss, packed.
Muslin, book, if packed in bales, packs, or trusses.
Mustard, e.o.h.p.
Nails and rivets, brass or copper.
Needles (in tin-lined cases).
Netting, cotton and twine.
Nickel.
Nitrate of baryta.
Nut crackers, except gold, silver, or plated.
Oars.
Oils, not dangerous, e.o.h.p.
Oleic acid, in casks.
Ornaments for saddlery, brass, iron, or steel.
Ornaments for uniform, except gold, silver, or plated.
Osiers, twigs, and willows, white or stained.
Osnaburgs.
Oxalic acid.
Paints, in cans, hampers, boxes, or iron bottles.
Palliasses, straw.
Palmetto leaf (not hydraulic or steam press packed, or machine pressed), in full truck loads or in consignments of 20 cwt.
Pans, ash.
Pans, chemical and dye, iron or steel.
Pans, copper, for closets.
Pans, dust.
Pans, earthenware or iron, for sanitary purposes.
Pans, warming.
Paper, e.o.h.p.
Paper collars, cuffs, and shirt fronts.
Paper, gummed for labels.
Paper hangings, e.o.h.p.
Paper tubes, for cops.
Parian, in hampers.
Patten rings.
Pattens, in casks, cases, or boxes.
Patterns, travellers', hardware.
Pearl shells.
Penholders, wood or metal (except gold, silver, or plated).
Pepper.
Percussion cap shells.
Percussion caps, uncharged.
Petroleum grease or petroleum jelly.
Piassava, e.o.h.p.
Pickles, e.o.h.p.
Picture frames, common, wood (not gilded) or Dutch metalled.
Pins, metal.
Plants, e.o.h.p.
Plates, door.
Plates, iron, enamelled.
Pliers.
Powder flasks.
Preserves (fish, fruit, meat, and provisions), e.o.h.p., in crates or baskets.
Pulley blocks, wood or iron.
Pulleys, iron.
Pumps and pump castings, e.o.h.p.
Pumps, hand, brass.
Quicks, e.o.h.p.
Rabbit fur, or hatters' wool.
Raffia.
Railway cards and tickets.

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Railway carriage keys.
Reels, for garden hose.
Refrigerators.
Rennet.
Rick poles and covers.
Riddles.
Road-scraping and road-sweeping machines.
Rock, crystal.
Rugs, hearth, except skin.
Saddlery or harness, in tin-lined cases or casks.
Saddletrees.
Sauces, e.o.p.h.
Saw-bench machines, portable, packed.
Scale beams and scales.
Scales and weights, letter.
Scoops, wood.
Screw jacks, except iron.
Screws, brass, copper, or zinc.
Screws, table expanding.
Scythes and sickles.
Scythe blades.
Scythe sneds or handles.
Sealing wax.
Seaweed, edible.
Sewing machines, in parts, packed.
Sewing-machine stands, in parts, packed in cases or frames.
Shafts, cart.
Shafts, gig, carriage, or dog cart, not painted nor varnished.
Shavings, wood.
Shears, garden, and sheep.
Sheepskins, e.o.h.p.
Sheet steel.
Shellac.
Shells.
Ships' blocks.
Ships' logs, metal.
Ships' sails, finished.
Shirts, cotton, woollen, and linen, in bales, packs, trusses, and hampers.
Shoe horns and pegs.
Shoes and boots, including goloshes and leather cut into shoe shapes, in casks, cases, or boxes.
Shot belts.
Show cards (cardboard), unframed.
Show tablets, metal enamelled.
Shutters, revolving, wooden.
Shuttles, weavers'. 5
Silver ore.
Sinks, enamelled.
Skates.
Skewers, iron or steel.
Skins, hare and rabbit. 10
Slate beds of billiard tables, packed in cases.
Slate slabs e.o.h.p.
Snuffers, iron or steel.
Spanners. 15
Spindles, in boxes.
Spirits, in casks or cases.
Spittoons, iron.
Splints, wood, for matches.
Spring balances. 20
Springs, chair, sofa, mattress, door, or cart.
Spurs, not plated.
Squeegees, for cleaning ships' decks, &c. 25
Stable fittings and mangers, iron enamelled.
Stair rods.
Starch, e.o.h.p.
Stationery, e.o.h.p. 30
Stays, not silk, for wearing apparel.
Steelyards.
Stills, iron.
Stirrups.
Stone blue, e.o.h.p. 35
Stoves, gas or oil.
Straw (not hydraulic or steam press packed, or machine pressed), in full truck loads, or in consignments of 20 cwt. 40
Strickles, e.o.h.p.
Stuff goods, in bales, packs, or trusses.
Sugar, e.o.h.p.
Sugar candy.
Sugar nippers, except gold, silver, or plated. 45
Sweat scrapers, packed.

Syringes, garden.
Syrup, in cases, in tins, in baskets, or in stone bottles packed in crates or hampers.
Tables, cast-iron or steel, in parts.
Tacks.
Talc.
Taper holders, metal.
Tapes.
Taps, brass.
Tea.
Terrets.
Thimbles, except gold, silver, or plated.
Thread, cotton and linen.
Tinware, in casks or cases.
Tips, brassed, for boot heels.
Toasting forks, iron or steel.
Tobacco boxes, metal.
Tobacco juice, e.o.h.p.
Tobacco leaf, e.o.h.p.
Tools, carpenters', coopers', edge, joiners', masons', and shipwrights'.
Tow, e.o.h.p.
Toys, packed.
Traps, sink, brass or copper.
Traps, vermin.
Trays, iron or steel.
Trellis work (wood), in bundles.
Trivets, iron or steel.
Troughs, bakers', wooden.
Troughs, cattle and other, iron or steel.
Trouser stretchers, iron, portable.
Trowels.
Tubes, brass or copper, except steam, packed.
Tubs, washing.
Tubs, wood.
Turnery ware.
Type.
Umbrella fittings.
Umbrella stretchers.
Valves, brass.
Varnish, e.o.h.p.
Vaseline.
Vegetable ivory.
Velvet, cotton, in bales, packs, or trusses.
Ventilators, small, iron or brass, for buildings, packed.
Vermicelli.
Vinegar, e.o.h.p.
Wadding, cotton.
Washers, brass or copper.
Wash leather.
Wash-stand tops, marble, packed.
Washing and wringing machines, packed.
Water meters.
Weighing machines, small (those used for weighing packages and goods).
Weights, brass.
Wheelbarrows.
Wheels, rudder or steering, in cases, crates, or frames.
Whetstones and honestones.
Whisks, packed.
Winches, steam.
Window frames, iron, e.o.h.p.
Wines, British, e.o.h.p.
Wines, in casks or cases.
Wire, copper or brass, packed in cases or casks, or in bags.
Wood, bent, e.o.h.p.
Wool, dressed or carded.
Woollen and worsted goods, in bales, packs, or trusses.
Woollen cloth, in bales, packs, or trusses.
Xylonite.
Yarns, twist and weft (except silk).
Yellow or Persian berries.

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Class 4.

Agricultural machines and implements, e.o.h.p.
Alabaster.
Albumen.
Algerian fibre, e.o.h.p.
Alizarine, e.o.h.p.
Ammonia, liquid, in bottles (other than carboys) in hampers.
Anchovies.
Annotto, e.o.h.p.
Anthracene, e.o.h.p.
Asparagus.
Bacon and hams, fresh or green.
Bags, leather
Beef wine, in boxes.
Beehives, straw.
Beer engines.
Bellows, e.o.h.p.
Bells, e.o.h.p.
Billiard cues, in bundles.
Blinds, Venetian and chain, e.o.h.p.
Boilers, copper.
Books, bound or half bound in calf, morocco, roan, russia, or law calf.
Boots and shoes, including goloshes and leather cut into boot shapes, in hampers (white rod).
Braces, for wearing apparel, not silk, e.o.h.p.
Bristles, e.o.h.p.
Britannia metal goods.
Bronze powder.
Brooms and brushes, e.o.h.p.
Bungs and corks.
Butter, in flats or hampers, or in tubs or cools without lids.
Candles, wax.
Canes and rattans.
Caps, men's or boys' (except silk), in boxes or cases.
Caravans (showmen's or hawkers') and vans containing steam roundabouts.
Carbolic acid, solid.
Carboys, gutta percha.
Cardamoms.
Cats' and dogs' meat.
Cattle cribs.
Chaff, e.o.h.p.
Chairs and seats, garden, e.o.h.p.
Chairs, common, folding, in boxes, cases, crates, and parcels.
Chemicals, not dangerous, corrosive, or explosive, in boxes or hampers.
Chimney pieces, metal, unpacked.
Chimney tops, iron or zinc.
China grass, e.o.h.p.
China, in boxes or cases.
Churns and churning machines.
Cisterns.
Citric acid.
Clocks, turret and church.
Clogs, e.o.h.p.
Cloth, linen, bleached, tied in bundles, but not protected by wrappers, or not packed.
Clothing (exclusive of silk goods), e.o.h.p.
Coach and upholsterers' trimmings, e.o.h.p.
Coal scuttles, e.o.h.p.
Cobalt.
Coffee carts or stalls on wheels.
Confectionery, e.o.h.p.
Corn crushers.
Cricket implements.
Croquet implements.
Crystallised fruit, e.o.h.p.
Curtains, cotton, lace.
Dandy rollers, in cases for paper mills.
Drapery, light—Packages containing any drapery articles set out in Classes herein-before mentioned, and in this Class, and any of the following articles :—
Bags (leather, ladies' hand, courier, and travelling).
Braces, not silk, for wearing apparel.
Carpeting, exceeding 15 feet in length, packed in cases.

Drapery, light—*cont.*
- Cloth, woollen.
- Clothing (exclusive of silk goods), e.o.h.p.
- Coach and upholsterers' trimmings.
- Gloves, cotton, woollen, and worsted.
- Haberdashery.
- Hosiery.
- Muslins (book).
- Needles.
- Stuff goods.
- Umbrellas.
- Woollen and worsted goods.

Dripping, in bladders.
Druggists' sundries, in mixed packages.
Drugs, in boxes or hampers.
Drysalteries, e.o.h.p.
Dye extracts.
Dyes, e.o.h.p.
Earthenware, in boxes or cases.
Eggs, e.o.h.p.
Esparto grass, e.o.h.p.
Extract of malt.
Felt hat bodies.
Fire engines, e.o.h.p.
Fish, fresh—
- Brill, grayling, lobsters, oysters, prawns, red mullet, salmon, smelt, soles, trout, turbot, whitebait.

Flax in the straw
Flax straw, e.o.h.p.
Flower roots, e.o.h.p.
Flower stands, wrought-iron.
Fluid, disinfecting, in bottles; packed in cases or hampers, or in basketed jars.
Footballs.
Frilling machines, in parts, packed.
Fruit-cleaning machines.
Furniture, in vans, carts, or road waggons.
Garden arches.
Garden engines.
Glasshouse pots.
Glass, in boxes or cases, e.o.h.p.
Glass, prepared, for photographers.
Globes, moons, or shades, glass, common.
Gloves, cotton, woollen, and worsted, e.o.h.p.
Gold size.
Golf clubs.
Grates, ovens, ranges, or stoves, polished.
Gravestones or tombstones.
Gun barrels, e.o.h.p.
Guns.
Gutta-percha goods.
Guttering or corrugating machines, not packed.
Haberdashery.
Hand carts.
Handmills.
Hares, dead.
Harness, e.o.h.p.
Hat leathers.
Hats, soft felt.
Hawkers' packs and trusses.
Hollow-ware, iron, including kettles, pans, maslins (pots for boiling fruit), and water cans, e.o.h.p.
Honey, e.o.h.p.
Hop bitters.
Hose, leather and canvas.
Hosiery, e.o.h.p.
Household linen and wearing apparel (exclusive of silk goods), e.o.h.p.
Incubators, complete.
Ink, e.o.h.p.
Japanned ware, e.o.h.p.
Kilting machines, in parts, packed.
Knapsacks, soldiers'.
Knitting machines, in parts, packed.
Lac.
Lace, British, not silk.
Laces, boot or stay, e.o.h.p.
Lamps.
Lawn mowers, not packed.
Lawn tennis implements.
Leather leggings.
Lint.

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Lithographic stones.
Looms, not packed.
Luggage or baggage, personal.
Machinery, in parts, not packed, e.o.h.p.
Machines, fitted up, not packed, e.o.h.p.
Malt crushers.
Maps, in boxes or cases.
Margarine, in baskets, flats, or hampers, or in tubs without lids.
Mats, skin.
Mattresses.
Meat, fresh.
Meat pies.
Meat safes.
Megass, e.o.h.p.
Mexican fibre, e.o.h.p.
Mincing machines.
Mushrooms.
Muslin, book, e.o.h.p.
Needles, e.o.h.p.
Oleic acid, e.o.h.p.
Palmetto leaf, e.o.h.p.
Panoramas and theatrical scenery.
Pans, copper.
Parian, in boxes or cases.
Pattens, e.o.p.h.
Patterns, wood, for castings.
Pens, steel.
Perforating and paper-cutting machines.
Pine apples, not hothouse, packed.
Pipes, brass and copper.
Pipes, smoking.
Pistols.
Plaiting machines, in parts, packed.
Plaited goods.
Plums (dried) in fancy boxes.
Porcelain.
Poultry, dead.
Preserved ginger.
Preserves (fish, fruit, meat, and provisions), e.o.h.p.
Rabbits, dead.
Razor strops.
Reeds and rushes.
Reflectors, glass, with metal backs.
Rifles.
Rollers, type printers'.
Saddlery, e.o.h.p.
Sausages and saveloys.
Saw-bench machines, portable, not packed.
Seal skins, e.o.h.p.
Seeds, e.o.h.p.
Sewing-machine stands, e.o.h.p.
Shafts, gig, carriage, or dog cart, e.o.h.p.
Sheep racks.
Shirts, e.o.h.p.
Shoes and boots, including goloshes and leather cut into shoe shapes, in hampers (white rod).
Show cards, e.o.h.p.
Shrubs and trees, e.o.h.p.
Skins, fine, including deer, fox, kid, musquash, and nutria.
Snuff.
Spades and shovels, wooden.
Spermaceti.
Spindles, e.o.h.p.
Spirits, in hampers.
Spirits of tar, e.o.h.p.
Stag horns.
Steam gauges.
Stereotype casts.
Stills, copper.
Stone, decorative, carved for decorating the interior of buildings.
Stoves, fire-clay tile.
Straw, e.o.h.p.
Stuff goods, e.o.h.p.
Swing boats and hobby horses.
Tables, cast-iron or cast-steel.
Tanks.
Tartaric acid.
Telegraph instruments, packed.
Telephone apparatus, packed.
Textile fabrics, made of mixed cotton, linen, wool, or similar materials.
Theatrical luggage.
Tiles, art.
Tin crystals.
Tinware, e.o.h.p.

Tobacco, manufactured, except cigars and cigarettes.
Tomatoes.
Toys, e.o.h.p.
Tubes, tin and zinc.
Tubing, brass or copper, e.o.h.p.
Ultramarine.
Umbrellas.
Umbrella sticks, e.o.h.p.
Vans, commercial travellers'.
Vats.
Vegetable washing machines.
Vegetables, hothouse, packed.
Veneers.
Venison.
Verdigris.
Walking sticks, e.o.h.p.
Warps, except silk.
Washing and wringing machines, not packed.
Whalebone.
Wheels, cart, coach, and carriage.
Wheels, rudder or steering, e.o.h.p.
Wines, in hampers.
Wire, insulated.
Wire, polished or needle.
Wire gauze.
Woodwork for the manufacture of organs.
Woodwork for the manufacture of pianos.
Woollen and worsted goods, e.o.h.p.
Woollen cloth, e.o.h.p.
Yeast, e.o.h.p.

Class 5.

Acetic or wood acid, e.o.h.p.
Aluminium.
Amber.
Ammonia, liquid, e.o.h.p.
Animals and birds, stuffed, in cases.
Aquaria, glass.
Artificial flowers.
Bagatelle tables.
Balloons.
Bark, not for tanning, e.o.h.p.
Barometers.
Baskets, e.o.h.p.
Bath chairs.
Beadings and mouldings, gilt, lacquered, or varnished, e.o.h.p.
Beds and bedding.
Bicycles.
Billiard tables.
Bird cages.
Bismuth.
Blue, laundry, liquid, e.o.h.p.
Boats and canoes.
Boots and shoes, including goloshes and leather cut into boot shapes, e.o.h.p.
Boxes, e.o.h.p.
Butter, in crocks, e.o.h.p.
Caps, e.o.h.p.
Carbolic acid, liquid, e.o.h.p.
Carboys, glass.
Cards, for carding machines, e.o.h.p.
Carriage bodies, e.o.h.p.
Chairs and seats, e.o.h.p.
Chandeliers and gasaliers.
Chemicals, not dangerous, corrosive, or explosive, e.o.h.p.
Chloride of gold, in boxes, for photographers.
Cigars and cigarettes.
Cinnamon.
Clock cases.
Clocks, e.o.h.p.
Cloves.
Cochineal.
Coffins.
Collodion cotton, in bottles packed in cases.
Colours, in jars.
Conservatories and hothouses, in parts.
Cordials, e.o.h.p.

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Cork socks, e.o.h.p.
Crape.
Cyanite, in jars.
Dripping, in crocks, e.o.h.p.
Drugs, e.o.h.p.
Dyes, in glass carboys.
Empty cases, casks, crates, hampers, and other empties, e.o.h.p.
Engravings.
Evergreens.
Extract of meat.
Feathers.
Fenders, e.o.h.p.
Figures, casts, or ornaments, alabaster, bronze, gypsum, plaster, stucco, or terra cotta.
Figures, flowers, and heads, wax.
Flowers, cut.
Flower stands, e.o.h.p.
Frilling machines, fitted up, packed.
Fruit, hot-house.
Furniture, e.o.h.p.
Furs.
Game.
Glass, cut, ornamental, for doors.
Glass, plate, silvered.
Glass, stained.
Globes, for educational purposes.
Globes, moons, or shades, glass, e.o.h.p.
Gloves, e.o.h.p.
Glycerine, e.o.h.p.
Hair, for head dressing.
Hat and umbrella stands, wood.
Hats, except soft felt and rush.
Helmets, felt, in cases or boxes.
Horses, dead.
Indigo.
Isinglass.
Ivory, e.o.h.p.
Jet.
Kilting machines, fitted up, packed.
Knitting machines, fitted up, packed.
Lace.
Lard, e.o.h.p.
Looking-glass frames, e.o.h.p.
Looking glasses and mirrors, glass.
Lustres and vases, glass.
Magnesium metal.
Maps, e.o.h.p.
Margarine, in crocks, e.o.h.p.
Match boxes, empty, e.o.h.p.
Military ornaments, e.o.h.p.
Millinery.
Models, clay.
Morphia, in bottles in hampers.
Moss, e.o.h.p.
Musical instruments.
Muslins.
Nitrate of copper, in jars or stone bottles, covered with wicker basket work.
Nitrate of silver, in boxes, for photographers.
Nut crackers, e.o.h.p.
Nutmegs.
Optical instruments.
Organs and organ work.
Ornaments for uniform, e.o.h.p.
Overmantels, cast-iron, with mirrors.
Paints, in jars.
Papier-maché goods.
Parchment.
Penholders, e.o.h.p.
Perambulators, complete or in parts.
Perfumery.
Phosphorus paste (vermin killer), packed.
Photographic apparatus.
Picture frames, e.o.h.p.
Pictures.
Pine apples, e.o.h.p.
Plaiting machines, fitted up, packed.
Plants and shrubs (garden), in baskets, mats, pots, or tubs.
Platinum.
Plush, silk.
Portmanteaus.
Poultry, alive.
Quicksilver.
Quills.
Retorts, glass.
Ribbons.
Rocking horses.
Rollers, brass or copper.

Seal skins, made into articles of wearing apparel.
Serpentine, manufactured, packed.
Sewing machines, fitted up, packed.
Shoes and boots, including goloshes and leather cut into shoe shapes, e.o.h.p.
Show cases for shops, glass and woodwork.
Silk.
Silver precipitate.
Spirits, e.o.h.p.
Sponges.
Straw goods, including straw hats and straw bonnets.
Straw plait.
Sugar nippers, e.o.h.p.
Summer houses.
Surgical instruments.
Teazles.
Telescopes.
Thermometers.
Thimbles, e.o.h.p.
Tonquin beans.
Tortoiseshell.
Tricycles and velocipedes.
Trunks.
Turpentine, spirits of, e.o.h.p.
Turtle.
Velvet, e.o.h.p.
Ventilators, e.o.h.p.
Watch glasses.
Wines, e.o.h.p.
Woodwork, carved, for decorating the interior of buildings.
Yolk of eggs.

Midland Railway Company (Rates and Charges) Provisional Order.

A

B I L L

[AS AMENDED BY THE JOINT COMMITTEE OF LORDS AND COMMONS]

To confirm a Provisional Order made by the Board of Trade under the Railway and Canal Traffic Act, 1888, containing the Classification of Merchandise Traffic, and the Schedule of Maximum Rates and Charges applicable thereto, of the Midland Railway Company, and certain other Railway Companies connected therewith.

(*Prepared and brought in by Sir Michael Hicks Beach and Baron Henry De Worms.*)

Ordered, by The House of Commons, *to be Printed*, 17 *July* 1891.

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[*Price* 5½*d.*]

[Bill 420.]

Midwives Registration Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Rules respecting examination of midwives.
3. Examination and registration of midwives by county council.
4. Regulations by Privy Council.
5. Registration.
6. Privileges of registration.
7. Fees and expenses.
8. Provision as to Scottish, Irish, and as to colonial and foreign midwives.
9. Provision for existing midwives.
10. Power to Privy Council to establish a general register of midwives.
11. Notice of death of midwives.
12. Supplemental provision as to register.
13. Publication of register.
14. Penalty on obtaining registration by false representation.
15. Penalty for wilful falsification of register.
16. Prosecution of offences.
17. Appeal.
18. Exercise of powers by Privy Council.
19. Definitions.
20. Extent of Act.

A

B I L L

TO

Provide for the Registration of Midwives.

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BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may for all purposes be cited as the Midwives Act, 1891.

Rules respecting examination of midwives.

2.—(1.) For the purpose of the examination of women desiring to act as midwives, the General Council shall, as soon as may be after the *passing of this Act*, cause to be framed and approve rules regulating the conditions of admission to examinations and the course of study to be pursued previous to examination, the qualifications of examiners, the method and periods and the subjects of such examinations, and the general standard to be attained by women passing the examinations, with a view to secure the possession of adequate knowledge and practical skill by all women who pass those examinations.

(2.) The General Council shall submit the rules approved by them to the Privy Council for confirmation.

(3.) A draft of the rules shall, at least one month before they are considered by the Privy Council, be published in such manner as the Privy Council may direct as sufficient to give information thereof to all persons interested, and the Privy Council, after taking into consideration any representations made to them in writing during one month after such publication, may confirm the rules, either with or without modifications or additions.

(4.) The rules when so confirmed shall be forthwith officially published under the superintendence of Her Majesty's Stationery Office.

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(5.) If the General Council fail to make such rules as the Privy Council can confirm before the *last day of June one thousand eight hundred and ninety-one*, the Privy Council shall forthwith cause rules to be framed for the purposes in this section mentioned, and such rules shall take effect as if they had been made by the General Council and confirmed by the Privy Council.

(6.) New rules may be made by the General Council and confirmed by the Privy Council in like manner as original rules, and if the General Council, within a reasonable time after they are so required by the Privy Council, fail to make any new rules to the satisfaction of the Privy Council, the Privy Council may cause new rules to be framed, and those rules shall have effect as if they had been made by the General Council and confirmed by the Privy Council.

Examination and registration of midwives by county council.

3.—(1.) After rules for the examination of midwives made under this Act have been officially published, every county council shall provide for the execution of this Act within their county, and for that purpose shall—

(*a.*) Appoint a sufficient number of competent examiners, to be approved by the Privy Council, and provide for the examination, in the prescribed manner, and in accordance with the said rules, of women desiring to act as midwives; and

(*b.*) Grant to every woman who passes the examination in accordance with the standard fixed by such rules the prescribed certificate that she is entitled to be registered as a midwife, and that certificate shall entitle her to be registered in the midwives' register of any county in which she is or is about to be ordinarily resident or acting as a midwife; and

(*c.*) Keep a record of the midwives to whom any such certificate is granted, and a register of midwives ordinarily resident or acting as midwives in the county who hold certificates granted under this Act by that or any other county council, or are otherwise entitled to be registered under the provisions of this Act.

(2.) The said provision for the examination of midwives shall enable women to be examined at such places in the county as seem expedient to the county council for the purpose of enabling persons to be examined within a reasonable distance from the place where they reside: Provided that no woman shall have any right to claim to be examined until after she has first produced a certificate from a registered medical practitioner practising in the district in which she is herself resident that she is of good conduct and in good health.

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(3.) The said record and register shall respectively be kept in such manner and form as may be prescribed by regulations of the Privy Council, and those regulations shall provide for an entry in a separate column of the register, opposite the name of each person, of words indicating the qualification entitling such persons to be registered, and any other special diploma or certificate which is held by such person, and which the Privy Council may by order specify as being sufficient for registration.

(4.) Every county council shall give the prescribed public notice of the establishment of a midwives' register, and of the provisions made for the examination and registration of midwives.

(5.) If in the opinion of the Privy Council any county council fail to make adequate provision for the holding of examinations in accordance with this Act, the Privy Council may take such steps by appointing examiners and otherwise as may appear to them necessary to secure the due conduct of such examinations, and any expenses from time to time certified by the Privy Council to have been incurred through the exercise of this power shall be defrayed in like manner as expenses incurred by the county council in the execution of this Act.

(6.) Any two or more county councils may, with the consent of the Privy Council, combine together for the purposes of holding examinations and of keeping a register under this Act, or for either of those purposes.

Regulations by Privy Council.

4. The Privy Council shall make regulations for carrying this Act into effect, and in particular for the following purposes or any of them; that is to say,

(*a.*) Providing for and enforcing the supervision of the examinations under this Act, and the presence thereat of persons appointed in manner provided by such regulations, for the purpose of securing that a uniform standard of knowledge and skill may be required from all persons to whom certificates are granted under this Act:

(*b.*) Providing for erasing from the midwives' register the names of women who are dead or have ceased to act as midwives, and for erasing the names of women or suspending, subject to the prescribed right of appeal to the Privy Council, any women from acting as midwives who have been convicted of offences, or have been guilty of infamous or disgraceful conduct in relation to their duties as midwives, or of gross incompetence, or of any breach of the regulations under this Act respecting such duties, or of repeated drunkenness, and for the endorsement of any order of suspension on the certificate of registration

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of the women suspended, and for the publication of the fact of the removal of the name of any woman from the register, or of the suspension of any women, and for the restoration of any women who may have been struck off the register, or who may have been suspended :

(*c.*) Providing for the issue to every registered midwife of a certificate of registration, and requiring every registered midwife to produce her certificate on demand to the prescribed persons :

(*d.*) Regulating any matter directed by this Act to be prescribed.

And the Privy Council may attach to the breach of any such regulations such fines, not exceeding in any case *forty shillings* to be recovered on summary jurisdiction, as they may think necessary.

Registration.

5. From and after the *first day of January one thousand eight hundred and ninety-two* a person shall not be entitled to take or use the name or title of midwife (either alone or in combination with any other word or words), or any name, title, addition, or description, implying that she is registered under this Act, or is specially qualified to act as a midwife, unless she be registered under this Act.

Any person who, after the *first day of January one thousand eight hundred and ninety-two*, not being registered under this Act, shall take or use the name of midwife, or any other such name, title, addition, or description as aforesaid, shall be liable, on summary conviction, to a fine not exceeding *five pounds;* provided that nothing in this section shall apply to legally qualified medical practitioners.

Privileges of registration.

6. A woman registered under this Act shall be entitled to act as a midwife in the United Kingdom. From and after the *first day of January one thousand eight hundred and ninety-two* no woman shall be entitled to recover any fee or charge in any court for attendance or services rendered as a midwife unless such woman is registered under this Act, and the certificate of registration under this Act shall be a certificate entitling a woman to act as a midwife in cases of natural labour only, in accordance with the prescribed regulations.

Fees and expenses.

7.—(1.) The county council may charge the prescribed fees in respect of the examination, certificate, and registration of any person, the inspection of the record or register, and other matters, so that the total of the fees charged in respect of the examination and certificate does not exceed *forty shillings*, and so that the fee does not exceed in respect of the registration of any person *five*

shillings, and in respect of the inspection of the record or register, or any other matter, *one shilling*.

(2.) The fees received by a county council under this Act shall be carried to the county fund; and all expenses incurred by a county council in the execution of this Act shall be defrayed out of the county fund as general expenses.

Provision as to Scottish, Irish, and as to colonial and foreign midwives.

8. A woman who has obtained in Scotland or Ireland, or in any British possession, or in any foreign country, any licence or other authority to act as a midwife, may, under such restrictions as may be prescribed for the purpose of securing a sufficient guarantee of good character and good health, and the requisite knowledge and skill, be registered in a midwives' register in the prescribed manner.

Provision for existing midwives.

9.—(1.) Every woman who at the *passing of this Act* is bonâ fide acting as a midwife, or has served as a pupil midwife in some hospital or other public institution, and claims to be registered before the expiration of eighteen months after the passing of this Act, and produces the prescribed evidence of her title to be so registered, shall be entered in a midwives' register, and any such woman shall be entitled at any time thereafter to present herself for examination under this Act, at such reduced rate of fee as the Privy Council may prescribe.

(2.) The fee for the registration of any such person shall not exceed *two shillings and sixpence*.

Power to Privy Council to establish a general register of midwives.

10.—(1.) The Privy Council may provide by their regulations for the keeping and the publication from time to time of a general register of midwives, and either for the transmission by the registrar of every county register to the registrar of the general register of the names of all midwives registered in the county register and the payment by the county council of the prescribed portion of the registration fees towards the expenses of the general register, or for the discontinuance of the county registers and the registration in the general register of all persons entitled to be registered as midwives, and the keeping of such local registers and registration offices as appear to the Privy Council requisite.

(2.) If the sums received on account of registration fees and by the sale of the general register do not suffice to defray the expenses of keeping, printing, and publishing that register, the deficiency shall be charged in the prescribed proportions on the county funds of the several counties, and any sum certified by the Privy Council to be so charged on any county fund shall be paid by the county council to, or to the order of, the Privy Council on demand.

A.D. 1890.

(3.) The provisions of this Act relating to the erasure and suspension of names shall apply to the general register in like manner as to the county registers, and a midwife shall have the like right to be registered in the general register, and that registration shall have the like effect as if the general register were a county register.

Notice of death of midwives.

11. Every registrar of deaths in England and Wales, on receiving notice of the death of any woman on any county midwives' register, shall forthwith transmit by post to the registrar under this Act a certificate under his hand of such death; and on receipt of such certificate, the registrar shall erase the name of such woman from the register of midwives, and shall transmit to the said registrar of deaths the cost of such certificate and transmission.

Supplemental provision as to register.

12. A midwives' register shall be deemed to be in proper custody when in the custody of the officer appointed to keep the same (in the Act referred to as the registrar), and shall be of such a public nature as to be admissible in evidence on its mere production from that custody.

Publication of register.

13. Every county council shall, in every year, cause the register kept by them under this Act to be printed, published, and sold, and a copy of such register for the time being shall be evidence in all courts that the women therein specified are registered according to the provisions of this Act; and the absence of the name of any woman from such copy shall be evidence, until the contrary be made to appear, that such woman is not registered according to the provisions of this Act: Provided always, that in the case of any woman whose name does not appear in such copy, a certified copy under the hand of the registrar of the entry of the name of such woman on the register shall be evidence that such woman is registered under the provisions of this Act.

Penalty on obtaining registration by false representation.

14. Any woman who wilfully procures or attempts to procure herself to be placed on the register of midwives by making or producing, or causing to be made or produced, any false or fraudulent declaration, certificate, or representation, either in writing or otherwise, and any person aiding and assisting her therein, shall be deemed guilty of a misdemeanor, and shall, on conviction thereof, be liable to a fine not exceeding *twenty pounds*, or to be imprisoned with or without hard labour for any term not exceeding *three months*.

Penalty for wilful falsification of register.

15. Any registrar who wilfully makes or causes to be made any falsification in any matter relating to the register of midwives shall

be deemed guilty of a misdemeanor, and shall be liable to a fine not exceeding *fifty pounds*, or to be imprisoned with or without hard labour for any term not exceeding *twelve months*.

Prosecution of offences.

16.—(1.) Any offence under this Act punishable on summary conviction may be prosecuted, and any fine under this Act recoverable on summary conviction may be recovered in manner provided by the Summary Jurisdiction Acts.

(2.) A prosecution for an offence under this Act shall not be instituted by a private person except with the consent of the Attorney General or of a county council, but may be instituted by a county council, or the council of a municipal borough, or by any board of guardians.

Appeal.

17. Where any woman deems herself aggrieved by any order, conviction, judgment, or determination of or by any matter or thing done under this Act by any court of summary jurisdiction, such woman may appeal therefrom to the court of quarter sessions.

Exercise of powers by Privy Council.

18.—(1.) All powers vested in the Privy Council by this Act may be exercised by an order of any two or more of the Privy Council.

(2.) Any order may be made conditionally or unconditionally, and may contain such terms and directions as to the Privy Council seem just.

Definitions.

19. In this Act—

The expression "General Council" means the General Council of Medical Education and Registration of the United Kingdom, established under the Medical Acts.

The expression "Medical Acts" means the Medical Act, 1858, and the Acts amending the same.

The expression "midwives' register" means a register of midwives kept in pursuance of this Act.

The expression "county" means an administrative county within the meaning of the Local Government Act, 1888, and includes a county borough.

The expression "county council" and "county fund" mean respectively in reference to a county borough, the council of the borough, and the borough fund.

Extent of Act.

20. Save as in this Act expressly provided, this Act shall not extend to Scotland or Ireland.

Midwives Registration.

A

B I L L

To provide for the Registration of Midwives.

(*Prepared and brought in by*
Mr. Fell Pease, Sir Frederic Fitzwygram,
Sir Guyer Hunter, Sir Roper Lethbridge,
Dr. Farquharson, Mr. Rathbone,
and Mr. Pritchard Morgan.)

Ordered, by The House of Commons, *to be Printed,*
28 *November* 1890.

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ADAM and CHARLES BLACK, 6, North Bridge, Edinburgh; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1½*d.*]

[Bill 133.]

A

B I L L

TO

Restrict Labour in Mines to Eight Hours per Day.

A.D. 1890.

WHEREAS it is expedient to limit the hours of work underground of persons employed in mines:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Miners (Hours of Work) Act, 1891.

Limit of eight hours underground.

2. A person shall not, in any one day of twenty-four hours, be employed underground in any mine for a period exceeding eight hours from the time of his leaving the surface of the ground to the time of his ascent thereto, except in case of accident.

Penalty for contravention.

3. Any employer, or the agent of any employer, employing or permitting to be employed any person in contravention of this enactment, shall be liable to a penalty not exceeding *forty shillings* for each offence, to be recovered in the same manner in which any penalty under the Acts relating to factories and workshops is recoverable.

REFERENCE ONLY

Mines (Eight Hours).

A

B I L L

To restrict Labour in Mines to Eight Hours per Day.

(*Prepared and brought in by Mr. William Abraham, Mr. Pickard, Mr. Randell, Mr. Cunninghame Graham, Mr. Phillips, Mr. Cremer, Mr. Jacoby, Mr. Spencer Balfour, Mr. Samuel Evans, Mr. Alfred Thomas, Mr. Arthur Acland, Mr. Pritchard Morgan, and Mr. Conybeare.*)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price* ½*d.*]

[Bill 13.]

A

B I L L

TO

Provide for a system of National Insurance against Accidents in Mines in Scotland.

A.D. 1891.

WHEREAS the persons employed in and about mines of coal, mines of stratified ironstone, mines of shale, and mines of fire-clay in Scotland are liable to serious and fatal accidents, by which large numbers of persons or their families are often left without the means of living, except by the aid of the poor rates or by public charity:

And whereas a practice has prevailed among some of the largest companies and proprietors of mines and collieries (being the owners, lessees, and workers thereof, in this Act called the mine owners) in England and their workpeople, of making a provision against such accidents by insurance, effected partly by payments out of wages, and partly by contributions from such mine owners; and such practice has been found extremely beneficial and to tend to encourage habits of providence, and it is expedient to extend the same and to render it obligatory in the case of persons employed in and about the mines aforesaid:

And whereas it is expedient that two boards of management should be appointed as herein-after mentioned, with the necessary powers for accomplishing the objects aforesaid, and that the other provisions herein-after contained should be enacted:

And whereas the objects aforesaid cannot be conveniently and equitably established in Scotland without the authority of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Miners' National Insurance (Scotland) Act, 1891. Short title.

A.D. 1891.

Extent of Act.

2. This Act shall extend to all persons employed in and about the mines as aforesaid in Scotland, and the relief to be given under it to the persons so employed, shall extend to all accidents occurring in the course of such employment whereby a person may be injured and laid off work for any period exceeding a week.

Interpretation.

3. In this Act, unless the context otherwise requires,—

The term "boards of management" means the boards to be appointed for the two mines inspectors' districts in Scotland.

"Joint board" means the two boards met together for the purpose of this Act.

"Lessor" means the superior landlord.

"Mine owner" means the occupier and worker of the mines, being the employer of the workmen.

"Joint fund" means the insurance fund established under this Act, vested in the joint board.

"Half members" means persons under sixteen years of age.

All persons employed to be insured.

4. Every person employed in or about any such mines as aforesaid, shall be insured against death by accident in the course of such employment, and also against disability to work at his ordinary calling arising from accident in the course of such employment, and shall be kept so insured during the continuance of such employment in manner and to the amounts to be determined and agreed upon as herein-after provided for, not being more than the amounts set out in the First Schedule to this Act, and any contract or agreement to the contrary hereof shall be null and void, and *after the passing of this Act* no person shall be employed by any mine owner in or about any such mines as aforesaid in Scotland, unless the person so employed shall be so insured, and kept insured, during the continuance of such employment.

Insurance to provide for weekly allowance to widows and children, &c., and to disabled workmen.

5. In case of death by accident in the course of such employment, the insurance shall provide for a weekly allowance to the widow, children, or other dependent relatives of the deceased, to the widow during life or widowhood, to the children until they attain the age of *fourteen years*, for a payment to other dependent relatives, and, in cases of non-fatal accident arising in the course of such employment, for a weekly allowance during disablement, such allowances and payments not being more than the amounts stated in the said First Schedule to this Act.

Appointment of boards of management.

6. For the purposes of this Act, and the management and administration of the insurance fund to be established under it, a

Secretary of State may from time to time appoint, remove, and reappoint fit persons to form a board of management in each of the two mines inspectors' districts in Scotland, to be constituted as follows, viz. :—

(*a.*) Three persons being lessors of mines to which this Act applies, or their agents ;

(*b.*) Three persons being lessees or workers of mines under lease, tack, or agreement ;

(*c.*) Three persons employed in or about such mines, not being owners, agents, or managers of a mine ; and

(*d.*) Her Majesty's Inspector of Mines for the district ;

and the persons so to be appointed shall, during the pleasure of the Secretary of State, form the board for each of such two districts for the purposes of this Act. Each board shall have power to appoint arbitrators to act for their respective districts in the settlement of any dispute under this Act.

Proceedings of boards of management.

7. The proceedings of the board in each district shall be in accordance with the rules contained in the Second Schedule to this Act : Provided that once at least in every year, or so often as occasion shall require, there shall be a joint meeting of the two boards for the purpose of agreeing upon the scale of contributions, subscriptions, payments, and allowances under this Act, the investment, and the varying of the investments for the time being of the insurance fund, the auditing and passing of the accounts, and other matters of the like nature, and the insurance fund to be established and raised under this Act shall be and be deemed one common or joint fund under the management and control of the joint board.

Appointment of assessors.

8. Immediately after the *passing of this Act* and the appointment of the board for each of such two districts, the joint board shall, at a meeting to be held for the purpose, at such place as may be determined upon, appoint three competent persons, to be nominated respectively by each of the three first-named parties aforesaid, as assessors, who shall inquire into and settle the basis of the subscriptions or contributions payable by each of such three first-named parties, to the joint fund established under this Act ; the lessors or owners of mines being assessed upon the quantity of coal raised, and in respect of which they receive royalty, the mine owners being assessed on their annual out-put, and the persons employed in or about such mines paying a weekly contribution, to be deducted out of their wages, such assessments and contributions

A.D. 1891.

to be embodied in the special rules herein-after provided for; and such assessors shall remain in office, unless in case of death, resignation, or incapacity, until the day of 189 ; and if before that day either of them shall die, resign, or become incapable of acting, his place may be filled up by the joint board if they think fit, and the assessor so appointed shall retain his office until the said day of 189 , and shall have the same powers and perform the same functions as though he had been originally appointed; and when the term "assessors" is used in this Act it includes not only the persons so originally nominated, but their successors appointed as aforesaid. Provided that if it shall not seem necessary to the board to fill up a vacancy among the assessors, the two remaining assessors shall have and exercise all the powers hereby conferred upon the assessors originally appointed, but there shall in no case be fewer than two assessors.

Secretary of State may remove assessor.

9. It shall be lawful for the Secretary of State, if he thinks fit, to remove for inability or misbehaviour any assessor appointed in pursuance of this Act, who shall for ever thereafter be ineligible for re-appointment.

Joint board may re-appoint or discontinue assessors.

10. The joint board may, at their option, after the said day of 189 , re-appoint the said assessors, or other assessors in their stead or not, as occasion may require, or may decide when the basis of subscription or contribution has been fixed under this Act, to dispense with the services of such assessors.

Remuneration of assessors.

11. The assessors to be appointed under this Act shall receive such remuneration as shall be agreed upon between them and the board at such joint meeting as aforesaid.

Assessors to determine upon subscriptions and contributions.

12. The assessors shall with all due despatch after their appointment, determine upon the amount of subscription or contribution payable by each of the three first-named parties respectively, on the basis before named; provided that in cases where landlords work their own minerals they shall be assessed both as landlords and as workers.

Insurance to be subject to reductions, &c.

13. The insurance provided under this Act may lawfully be made, subject, if so agreed, to a rule or condition defeating any claim or reducing the amount of any claim arising out of an accident to the person insured caused by his own wanton or wilful misconduct, or for the stoppage of the allowance for subsequent misconduct, or happening to him while in a state of intoxication, but not to any condition defeating or reducing a claim arising

out of an accident caused by negligence or want of care or skill on the part of the employer or his agent, and also to a rule or condition enabling the grant to a disabled member, or to a widow, of a fixed sum, to be settled by agreement, in discharge of all further claims.

Joint board to draw up scale of contributions, &c.

14. The joint board shall, immediately they receive the report of the assessors, draw up a scale of contributions or subscriptions payable under this Act by each of the three first-named parties, and such contributions and subscriptions shall be embodied in special rules to be approved by a Secretary of State, which rules shall form part of this Act as if enacted herein.

Joint board to give notice of amount of contributions payable.

15. When the assessors have made their report and assessment under this Act, the joint board shall, by notice in writing, signed by the chairman, or vice-chairman, and secretary, and sent by registered post, inform the lessors of mines the amount payable by them respectively to the joint fund, and shall in like manner inform the mine owners of the amount payable by them respectively to such joint fund, and also the amount of contributions payable by the persons employed by such mine owners respectively in and about such mines, to such joint fund, and thereupon such amounts shall be debts due to the joint board.

Mine owner may deduct amount payable by his lessor to the fund from his royalty.

16. Upon receiving such notice as aforesaid of the amount payable by him, it shall be lawful for such mine owner to deduct from the amount of royalty payable to his landlord the amount of his assessment, which amount he shall pay into the joint fund, and in the case of a person working his own mines, he shall pay the amount of the assessment made on him as landlord into the joint fund, and if within one week from the receipt of such notice as aforesaid, the amount is not so paid it shall be a debt due and recoverable by the joint board from such lessors or workers of mines, without any proof beyond the production of the notice as aforesaid of such non-payment within the time aforesaid.

Lessee on notice of assessment to pay amount into joint fund and also amount deducted from the persons employed.

17. Upon receiving the like notice of the amount of the assessment made upon him, the mine owner shall pay into the joint fund the amount of such assessment, and if within one week from the receipt of such notice the amount is not so paid, it shall be a debt due and recoverable by the joint board from such mine owner, without any proof beyond the production of the notice signed as aforesaid, of such non-payment within the time aforesaid; and if, after receiving notice of the amount payable by the persons

A.D. 1891.

employed by him, such mine owner fails to pay the contributions of the workmen in his employ, deducted from the wages of such workmen, into such joint fund, the amount shall be recoverable against him after notice, as a debt by the joint board.

Contributions and subscriptions to form common fund.

18. The contributions and subscriptions under this Act shall be paid into a common fund in the names of the joint board.

Joint board to agree upon scale of allowances, &c.

19. The joint board shall determine and agree upon the scale of payments and allowances to be made under this Act in cases of death and total disability, and the weekly allowance to be made to persons who are injured in the course of their employment, so as to be laid off work for more than one week, and the allowances and payments to be made to widows, children, and other dependent relatives, and shall settle the conditions and restrictions under which such allowances and payments shall be made. Provided that each board shall have exclusive jurisdiction in deciding upon the claims made in its own district, and in conducting the business in its own district.

Mine owner responsible for keeping up insurance of persons employed.

20. A mine owner shall be responsible for seeing that the payments requisite to keep up the insurance during the continuance of the employment are duly made by the persons in his employment, and such mine owner shall be at liberty from time to time to deduct such payments from any wages due to the persons employed, and such deductions shall be allowed in part discharge of such wages, provided the same are duly applied by the mine owner to the insurance fund established under this Act, and provided that no arrears of such payments exceeding one month's arrears at any one time shall be so deducted as aforesaid.

Mine owner liable in respect of persons not insured.

21. If any person after the *of December,* 189 , shall be employed or continue to be employed by any mine owner in or about any mine as aforesaid, without being so insured as aforesaid, or after he has ceased to be so insured, the mine owner shall be liable to make satisfaction to the person employed, or to his widow or children in case of the disablement or death of the person employed, arising from accident in the course of his employment, in the same manner, and to the same amount, and by the same remedies, as if the person employed had been insured in manner, and against the risks, and to one-half of the extent required by this Act.

Insurance payable not to be attach-

22. The insurance or relief payable under this Act to persons injured, or to the widows, children, or other dependent relatives

A.D. 1891.

of persons killed in connection with their employment, shall not be attachable for rent, debt, or damages, or be taken into account as mitigating or reducing the amount of damages recoverable against an employer under any present or future Employers' Liability Act.

Not attachable for rent, debt, or damages.

23. The joint fund to be raised under and by virtue of this Act shall be invested by the joint board in any of the following securities, viz.:—

Investment of joint fund.

Any of the public stocks or funds or Government securities of the United Kingdom, or India, or any colony or dependency of the United Kingdom, or any foreign government or state, or in stock of the Bank of England, or of the Metropolitan Board of Works, or in or upon freehold, copyhold, leasehold, or chattel real securities in England, Wales, or Scotland, or in or upon the bonds, debentures, debenture stock, mortgages, or securities or the guaranteed preference or ordinary stock or shares of any company, or public, municipal, or local body or authority in the United Kingdom, or India, or any colony or dependency of the United Kingdom, or any foreign country, or on the security of rates or tolls made or levied by any such body or authority as aforesaid.

24. The accounts of the joint board shall be audited and certified annually by a public actuary to be appointed for the purpose, who shall make an annual report and calculation, based on the report of the assessors, as to what the assessment shall be on each of the first three-named parties for the ensuing year.

Audit of accounts.

25. If in any year it shall appear to the joint board on the report of such assessors or actuary that the fund in their hands is in excess of the amount likely to be required for the purposes of the Act, they may reduce in equal proportions the contributions of each class of the contributories or suspend the assessment for any year or years in which the funds in hand shall appear to be more than sufficient for the purposes of the insurance established under this Act.

Suspension or reduction of assessment

26. Every mine owner shall if and whenever required in writing by the joint or district board, furnish a return of the quantity of mineral raised by him during any year, and if called upon so to do by such board, he shall verify such returns by statutory declaration, and shall also from time to time, as and when required by such board so to do, furnish a return of the

Mine owner to furnish returns of mineral raised, &c.

A.D. 1891. number of persons employed in and about the mines occupied and worked by him, and at all times give all reasonable and necessary facilities for enabling an assessment to be made for the purposes of this Act.

SCHEDULES.

A.D. 1891.

The FIRST SCHEDULE referred to.

TABLE OF MAXIMUM CONTRIBUTIONS.

By the lessor, on the annual out-put	¼*d.* per ton.
By the lessor (if also the employer)	¼*d.* „
By the mine owner, on the annual out-put	¼*d.* „
By persons employed as under:—	
Each full ordinary member, if incurring underground risk	*2d.* per week.
If incurring surface risk only	*1d.* „
Half members, under 16 years of age, half the above sums.	

SCALE OF ALLOWANCES AND PAYMENTS.

For disablement, whereby a workman is laid off work for any period exceeding a week:—

Full members, for the first week	*5s.* per week.
And afterwards during disablement	*10s.* „
Half members, for the first week	*2s. 6d.* „
And afterwards during disablement	*5s.* „

	£	s.	d.
Funeral allowance—(married member)	*5*	*0*	*0*
Do. (unmarried member)	*20*	*0*	*0*
Do. (half member)	*5*	*0*	*0*

For a widow, during widowhood — *7s. 6d.* per week.

For children, until they attain 14 years of age, as follows:—

For one child	*2s. 6d.* per week.
For the second child	*2s. 0d.* „
For the third child, and remaining children (each)	*1s. 6d.* „
Dependent relatives	To be fixed by the Board.

A.D. 1891.

The SECOND SCHEDULE referred to.

Proceedings of Boards.

1. The Board shall meet for the despatch of business, and shall from time to time make such regulations with respect to the summoning notice, place, management, and adjournment of such meetings, and generally with respect to the transactions and management of business including the quorum at meetings of the Boards as they think fit, subject to the following conditions:—

(*a*) An extraordinary meeting may be held at any time on the written requisition of three members of the Board addressed to the chairman.

(*b*) The quorum to be fixed by the Board shall consist of no less than three members.

(*c*) Every question shall be decided by a majority of votes of the members present and voting on that question.

(*d*) The names of the members present as well as of those voting upon each question shall be recorded.

(*e*) No business shall be transacted unless notice in writing of such business has been sent to every member of the Board seven days at least before the meeting.

2. The Board shall from time to time appoint some person to be chairman and one other person to be vice-chairman.

3. If at any meeting the chairman is not present at the time appointed for holding the same, the vice-chairman shall be the chairman of the meeting, and if neither the chairman nor the vice-chairman shall be present, then the members present shall choose some one of their number to be chairman of such meeting.

4. In case of an equality of votes at any meeting, the chairman for the time being of such meeting shall have a second or casting vote.

5. The appointment of arbitrators or assessors may be made by a minute of the joint Board signed by the chairman.

6. The Board shall keep minutes of their proceedings by their secretary, which may be inspected or copied by a Secretary of State or any person authorised by him to inspect or copy the same.

Mining Accidents Insurance (Scotland).

A

B I L L

To provide for a system of National Insurance against Accidents in Mines in Scotland.

(*Prepared and brought in by Mr. Baird, Mr. Vernon, Mr. Hozier, Mr. Hugh Elliot, and Mr. Parker Smith.*)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price* 1½*d.*]

[Bill 20.]

Mortmain and Charitable Uses Act (1888) Amendment.

This Bill is designed to alleviate the burden of the restrictions on the acquisition of land or any interest in land to which charities are at present subject.

Under the existing law, a gift to charity of land, or of any property falling within the wide expression, "interest in land," is, if made by will, void.

The present Bill proposes to remove the distinction between personal property which is an interest in land and pure personalty, and in lieu of making a gift by will of land in favour of charity absolutely void to render it compulsory on the trustees to sell the land so given, the proceeds of sale remaining the property of the charity. The cases in which land may be validly acquired under the existing law are left untouched.

It is conceived that these provisions will remove the restrictions at present placed on charities, while, at the same time, in no way facilitating the accumulation of land in their hands.

A

B I L L

TO

Amend the Mortmain and Charitable Uses Act, 1888.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Charitable Uses Act, 1891, and shall be construed as one with the Mortmain and Charitable Uses Act, 1888.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Definition of "land."

3. "Land," in the Mortmain and Charitable Uses Act, 1888, and in this Act, shall include tenements and hereditaments corporeal and incorporeal of any tenure, but not money secured on land or other personal estate arising from or connected with land, and the definition of land contained in the Mortmain and Charitable Uses Act, 1888, is hereby repealed.

Land assured by will for a charitable use to be sold.

4. Land may be assured by will to or for the benefit of any charitable use, but such land shall, notwithstanding anything in the will contained to the contrary, be sold within *five years* from the death of the testator, or such extended period as may be determined by the Chancery Division or any judge thereof sitting at Chambers.

Personal estate directed to be laid out in land, not to be so laid out.

5. Any personal estate by will directed to be laid out in the purchase of land to or for the benefit of any charitable use, shall be held to or for the benefit of the charitable use as though no such direction to lay out in the purchase of land had been mentioned.

Application of Act.

6. This Act shall only apply to the will of a testator dying after *the passing of this Act.*

Mortmain and Charitable Uses Act, 1888, Amendment.

A

B I L L

To amend the Mortmain and Charitable Uses Act, 1888.

(*Prepared and brought in by Mr. Cozens Hardy, Mr. Lewis Fry, Sir Robert N. Fowler, and the Marquis of Carmarthen.*)

Ordered, by The House of Commons, *to be Printed*, 6 *May* 1891.

PRINTED BY EYRE AND SPOTTISWOODE,
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[Bill 322.]

A

B I L L

INTITULED

An Act to amend the Mortmain and Charitable Uses Act, 1888, and the Law relating to Mortmain and Charitable Uses. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Mortmain and Charitable Uses Act, 1891.

Extent of Act.

2. This Act shall not extend to Scotland or Ireland.

Definition of "land." 51 & 52 Vict. c. 42.

3. "Land" in the Mortmain and Charitable Uses Act, 1888, and in this Act, shall include tenements and hereditaments, corporeal or incorporeal, of any tenure, but not money secured on land or other personal estate arising from or connected with land; and the definition of land contained in the Mortmain and Charitable Uses Act, 1888, is hereby repealed.

Land assured by will for a charitable purpose to be sold.

4. Land may be assured by will to or for the benefit of any charitable use, but, except as herein-after provided, such land shall, notwithstanding anything in the will contained to the contrary, be sold within one year from the death of the testator, or such extended period as may be determined by the High Court, or any judge thereof sitting at chambers, or by the Charity Commissioners.

Land after expiration of time limited for sale to be sold by order of Charity Commissioners.

5. So soon as the time limited for the sale of any lands under any such assurance shall have expired without completion of the sale of the land, the land unsold shall vest forthwith in the official trustee of charity lands, and the Charity Commissioners shall take all necessary steps for the sale or completion of the sale of such

A.D. 1891.

land to be effected with all reasonable speed by the administering trustees for the time being thereof, and for this purpose the said Commissioners may make any order under their seal directing such trustees to proceed with the sale or completion of the sale of the said land or removing such trustees and appointing others, and may provide by any such order for the payment of the proceeds of sale to the official trustees of charitable funds in trust for the charity, and for the payment of the costs and expenses incurred by the said administering trustees in or connected with such sale, and every such order shall be enforceable by the same means and be subject to the same provisions as are applicable under the Charitable Trusts Act, 1853, and the Acts amending the same, respectively, to any orders of the said Commissioners made thereunder.

16 & 17 Vict. c. 137.

Personal estate by will directed to be laid out in land not to be so laid out.

6. Any personal estate by will directed to be laid out in the purchase of land to or for the benefit of any charitable uses shall, except as herein-after provided, be held to or for the benefit of the charitable uses as though there had been no such direction to lay it out in the purchase of land.

Power to retain land in certain cases.

7. It shall be lawful for the High Court, or any judge thereof sitting at chambers, or for the Charity Commissioners, if satisfied that land assured by will to or for the benefit of any charitable use, or proposed to be purchased out of personal estate by will directed to be laid out in the purchase of land, is required for actual occupation for the purposes of the charity and not as an investment, by order to sanction the retention or acquisition, as the case may be, of such land.

Application of Act.

8. This Act shall only apply to the will of a testator dying after the passing of this Act.

Saving.

9. Nothing in this Act contained shall limit or affect the exemptions contained in Part Three of the Mortmain and Charitable Uses Act, 1888, or apply to any land or personal estate to be laid out in the purchase of land acquired under any assurance to which such exemptions or any of them apply, or shall exclude or impair any jurisdiction or authority which might otherwise be exercised by a court or judge of competent jurisdiction or by the Charity Commissioners.

Mortmain and Charitable Uses Act Amendment.

[H.L.]

A

B I L L

INTITULED

An Act to amend the Mortmain and Charitable Uses Act, 1888, and the Law relating to Mortmain and Charitable Use s.

(*Brought from the Lords* 14 *July* 1891.)

Ordered, by The House of Commons, *to be Printed*, 15 *July* 1891.

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[Bill 414.]

Movable Dwellings Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Registration of movable dwellings.
2. Regulations by Local Government Board as to registration.
3. Execution of Act by county authority.
4. Certificate of registry.
5. Prevention of nuisances in movable dwellings.
6. Power of sanitary authority for prevention of infectious disease in movable dwellings.
7. Power of entry.
8. Education of children using movable dwellings.
9. Expenses and receipts of county and sanitary authority.
10. Prosecution of offences.
11. Movable dwelling to which Act applies.
12. Definitions.
13. Application of Act to Scotland.
14. Application of Act to Ireland.
15. Repeal of s. 9 of 48 & 49 Vict. c. 72.
16. Commencement of Act.
17. Short title.

SCHEDULE.

A

B I L L

TO

Provide for the Regulation of Vans, Vehicles, and Tents used as Dwellings. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Registration of movable dwellings.

1.—(1.) After the commencement of this Act a movable dwelling shall not be used as a place of abode unless it has been registered in accordance with this Act.

(2.) The owner of a movable dwelling may apply to a county authority for the registration of such dwelling, and unless the county authority, after inspection of the dwelling by their officer, is of opinion that it is unfit for human habitation, the dwelling shall be registered, but such registration shall not be in force after *three years* from the date thereof.

(3.) If a movable dwelling which is not for the time being registered in pursuance of this Act is used as a place of abode, the occupier thereof shall be liable, on summary conviction, to a fine not exceeding *twenty shillings* for each day on which the movable dwelling is so used.

Regulations by Local Government Board as to registration.

2. The Local Government Board may from time to time make, revoke, and vary regulations respecting the registration of movable dwellings, and the grant of certificates of registration, the fees in connexion with such registration (not exceeding *five shillings* for each registration), and the marking of movable dwellings, and may impose penalties, not exceeding *forty shillings*, to be recovered summarily, for the breach of any such regulations.

Execution of Act by county authority.

3.—(1.) Every county authority shall carry this Act into execution, and may appoint officers for the purpose.

A.D. 1891.

(2.) Every county authority shall in *January* of every year report to the Local Government Board their proceedings under this Act during the previous year.

Certificate of registry.

4. The county authority shall give to a person registering a movable dwelling a certificate of registration, which shall be kept by the occupier of the dwelling, and any officer of such authority may require the occupier to produce the certificate, and to allow him to examine and copy the same, and if the occupier refuses to comply with such requisition he shall be liable on summary conviction to a fine not exceeding *forty shillings*.

Prevention of nuisances in movable dwellings.

5.—(1.) If a movable dwelling used as a place of abode is in such a state as to be a nuisance or injurious to health, or is so overcrowded as to be dangerous or injurious to the health of the inmates, whether or not members of the same family, or is used as a sleeping place by persons of both sexes without proper provision for the separation of the sexes, the occupier of such dwelling shall be liable on summary conviction to a fine not exceeding *forty shillings*.

(2.) If it is made to appear to any justice of the peace by any county or sanitary authority, or by an officer of any such authority, that a movable dwelling used as a place of abode is in such a state as to be a nuisance or injurious to health, and that it is a matter of urgency for the health of the neighbourhood that steps should be taken to abate the nuisance, or to prevent such dwelling being injurious to health, such justice may authorise the authority or officer to take such steps accordingly.

(3.) Any person obstructing the taking of such steps shall be liable on summary conviction to a fine not exceeding *five pounds*.

Power of sanitary authority for prevention of infectious disease in movable dwellings.

6.—(1.) Where any sanitary authority within whose district a movable dwelling is for the time being situate is informed that a person using the movable dwelling as a place of abode is suffering from an infectious disorder, the authority shall cause such steps to be taken as may by the certificate of their medical officer of health, or of any other legally qualified medical practitioner, appear requisite for preventing the said disorder from spreading, and for that purpose may exercise the power of removing a person suffering as aforesaid and all other powers in relation to provisions against infection conferred by the Public Health Acts, as if the dwelling were a house, and may also, if need be, remove to another part of the district the movable dwelling, and any other movable dwelling which is near thereto, and, whether so removed or not, detain any such dwelling for a time not longer than is necessary for the

38 & 39 Vict. c. 55.

cleansing and disinfecting thereof, or otherwise for preventing the said disorder from spreading.

(2.) The occupier of the dwelling and every person connected therewith shall comply with such directions as may be given by the said authority for the purposes of this section, and if he fails to comply with such directions, or disobeys any order for the detention of the dwelling, or obstructs the sanitary authority or their officer in acting under this section, he shall be liable on summary conviction to a fine not exceeding *five pounds*.

(3.) A sanitary authority may exercise their powers under this section by any committee or member authorised either generally or specially in that behalf.

Power of entry.

7.—(1.) Where any officer of a county or sanitary authority has reasonable cause to suppose that a movable dwelling is being used in contravention of this Act, or that there is in any such dwelling a person suffering from an infectious disorder, such officer may, between *nine o'clock* in the morning and the succeeding *six o'clock* in the evening, enter such movable dwelling and examine the same and every part thereof in order to ascertain whether there is any contravention of this Act therein, or any person therein suffering from an infectious disorder.

(2.) If admission to a movable dwelling is refused to any officer authorised by or in pursuance of this section to enter the same, or if any such officer is otherwise obstructed in the performance of his duty under this section, the person so refusing admission or obstructing shall be liable on summary conviction to a fine not exceeding *five pounds*.

Education of children using movable dwellings.

8. A child using as a place of abode a movable dwelling shall, for the purposes of the Education Acts, be deemed to be resident within the school district in which such movable dwelling is for the time being situate, and shall be subject to the jurisdiction of the school authority for such district in the same manner as children permanently resident therein, subject to the following provisions:—

(*a.*) The byelaws set forth in the schedule to this Act shall extend to the child and his parent in substitution for the byelaws made by the school authority under the Education Acts, and as if they were those byelaws, and the fine imposed by the byelaws may be recovered accordingly;

(*b.*) A copy of the byelaws in the schedule to this Act shall be given by the county authority to the owner of every

A.D. 1891.

movable dwelling upon his registering the same in pursuance of this Act;

(*c.*) The sanitary authority, within whose district the movable dwelling used as an abode by the child is for the time being situate, shall assist the school authority in carrying out the objects of this Act by giving information and otherwise, and for this purpose shall report to the school authority every infraction in the case of the child either of the Education Acts, or of the byelaws, which may come to the knowledge of the sanitary authority.

Expenses and receipts of county and sanitary authority.

9.—(1.) All expenses of a county authority under this Act shall be general expenses of such authority, and all receipts of a county authority under this Act shall be applied in aid of the said expenses.

(2.) All expenses of a sanitary authority under this Act shall be general expenses of such authority in the execution of the Public Health Acts.

Prosecution of offences.

10. Any offence under this Act may be prosecuted and a fine under this Act recovered before a court of summary jurisdiction in manner provided by the Summary Jurisdiction Acts, either in the place where the offence was committed or in the place where the offender for the time being is.

Movable dwelling to which Act applies.

11. This Act shall apply to the following movable dwellings, that is to say, to any van, cart, carriage, waggon, vehicle, or tent which is used for the purpose of an abode.

Provided that nothing in this Act shall apply to—

(*a.*) any movable dwelling as above defined used by shepherds, labourers, or other persons for farming or agricultural purposes, or for purposes connected with the management of an estate; or

(*b.*) any movable dwelling as above defined used for any portion of Her Majesty's naval or military forces.

In this Act the expression "occupier" in relation to a movable dwelling means the person occupying or having for the time being control or charge of a movable dwelling.

Definitions.

12.—(1.) In this Act unless the context otherwise requires—

The expression "county authority" means a county council, including the council of a county borough; and

(2.) The expression "sanitary authority" means—

(*a.*) as respects the city of London, the Commissioners of Sewers;

18 & 19 Vict. c. 120.

(*b.*) as respects each of the parishes mentioned in Schedule (A.) to the Metropolis Management Act 1855, as amended by the

Metropolis Management (Amendment) Act, 1885, and the Metropolis Management (Battersea and Westminster) Act, 1887, other than Woolwich, the vestry of the parish; 48 & 49 Vict. c. 33. 50 & 51 Vict. c. 17.

(*c.*) as respects each of the districts mentioned in Schedule (B.) to the same Act, as so amended, the district board for the district;

(*d.*) as respects the parish of Woolwich, the local board of health;

(*e.*) elsewhere in England an urban or rural sanitary authority within the meaning of the Public Health Acts;

The expression "school authority" means the school board or other authority having power to make byelaws respecting the attendance of children at school;

The expression "Public Health Acts" as respects London means the Acts relating to public health in London;

The expression "child" means, a child of the age of five and under the age of thirteen years;

The expression "Education Acts" means the Elementary Education Acts, 1870, 1873, 1876, and 1880; 33 & 34 Vict. c. 75. 36 & 37 Vict. c. 86. 39 & 40 Vict. c. 79. 43 & 44 Vict. c. 23.

The expression "district" in relation to any sanitary authority means the area under the management of that authority.

13. In the application of this Act to Scotland— Application of Act to Scotland.

(*a.*) The expression "county authority" means the commissioners of supply and the magistrates of any royal burgh or burgh returning or contributing to return a member to Parliament;

(*b.*) The expression "sanitary authority" means a local authority within the meaning of the Public Health (Scotland) Act, 1867, and the Acts amending the same; 30 & 31 Vict. c. 101.

(*c.*) The Secretary for Scotland shall be substituted for the Local Government Board;

(*d.*) The expression "court of summary jurisdiction" includes the sheriff or sheriff substitute;

(*e.*) The expression "child" means a child of the age of five and under the age of fourteen years;

(*f.*) The expression "Education Acts" means the Education (Scotland) Acts, 1872 to 1883; 35 & 36 Vict. c. 62. 46 & 47 Vict. c. 56.

(*g.*) The expression "Summary Jurisdiction Acts" means the Summary Jurisdiction (Scotland) Acts, 1864 and 1881. 27 & 28 Vict. c. 53. 44 & 45 Vict. c. 33.

14. In the application of this Act to Ireland— Application of Act to Ireland.

(*a.*) The expression "county authority" and also the expression "sanitary authority" means a sanitary authority within the meaning of the Public Health (Ireland) Act, 1878;

A.D. 1891.

(*b.*) The Local Government Board for Ireland shall be substituted for the Local Government Board;

41 & 42 Vict. c. 52.

(*c.*) Any reference to the Public Health Acts shall be construed to refer to the Public Health (Ireland) Act, 1878;

(*d.*) A court of summary jurisdiction shall be constituted of two or more justices of the peace in petty sessions sitting at a place appointed for holding petty sessions, or of some magistrate or officer for the time being empowered by law to do alone any act authorised to be done by more than one justice of the peace and sitting at some court or other place appointed for the administration of justice;

(*e.*) The expression "Summary Jurisdiction Acts" means, as respects the Dublin Metropolitan Police district the Acts regulating the powers and duties of justices of the peace and police of that district, and elsewhere in Ireland means the Petty Sessions (Ireland) Act, 1851, and the Acts amending the same;

14 & 15 Vict. c. 93.

(*f.*) The provisions of this Act with respect to children and bye-laws shall not apply to Ireland.

Repeal of s. 9 of 48 & 49 Vict. c. 72.

15. Section nine of the Housing of the Working Classes Act, 1885, is hereby repealed as from the commencement of this Act.

Commencement of Act.

16. This Act shall come into operation on the *first day of January, one thousand eight hundred and ninety-two*, which day is in this Act referred to as the commencement of this Act.

Short title.

17. This Act may be cited as the Movable Dwellings Act, 1891.

SCHEDULE.

A.D. 1891.

BYELAWS RELATING TO THE EDUCATION OF CHILDREN RESIDING IN MOVABLE DWELLINGS.

Definitions.

1. In these byelaws the term "parent" includes guardian, and every person who is liable to maintain or has the actual custody of any child: the term "school" means a certified efficient school within the meaning of the Elementary Education Acts, 1870, 1873, 1876, and 1880.

Children to attend school.

2. The parent of every child of not less than five nor more than thirteen years of age, using as a place of abode any movable dwelling registered in pursuance of the Movable Dwellings Act, 1891, shall cause such child to attend school, unless there be a reasonable excuse for non-attendance.

Reasonable excuses.

Either of the following reasons shall be a reasonable excuse, namely:—

(*a*) that the child is under efficient instruction in some other manner;

(*b*) that the child has been prevented from attending school by sickness or any unavoidable cause.

Times of attendance.

3. The time during which every such child shall attend school shall be the whole time for which the school selected shall be open for the instruction of children of similar age, including the day fixed by Her Majesty's inspector for his annual visit.

Proviso as to Religion and Labour Acts.

4. Provided always, that nothing in these byelaws—

(*a*) shall prevent the withdrawal of any such child from any religious observance or instruction in religious subjects;

(*b*) shall require any such child to attend school on any day exclusively set apart for religious observance by the religious body to which its parent belongs; or

(*c*) shall have any force or effect in so far as it may be contrary to anything contained in any Act for regulating the education of children employed in labour.

Proviso as to standard for exemption.

5. And provided always, that any such child between ten and thirteen years of age shall not be required to attend school if such child has received a certificate from one of Her Majesty's inspectors of schools that it has reached the Fourth Standard prescribed by the Code of 1876.

Penalty.

6. Every parent who fails to observe, or contravenes these byelaws, or any of them, shall, upon summary conviction, be liable to a fine not exceeding, with the costs, *five shillings* for each offence.

Note.—Where these byelaws extend to Scotland, the Education (Scotland) Acts, 1872 to 1883, must be substituted for the reference to the English Acts in byelaw one, and "fourteen" must be substituted for "thirteen" in byelaws two and five.

Movable Dwellings.

A

B I L L

To provide for the Regulation of Vans, Vehicles, and Tents used as Dwellings.

(*Prepared and brought in by Mr. Burt, Dr. Cameron, Mr. James Campbell, Mr. Elton, Mr. Fenwick, Mr. Matthew Kenny, Mr. John Kelly, and Colonel Makins.*)

Ordered, by The House of Commons, *to be Printed*, 18 *February* 1891.

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and 21, Drury Street, Glasgow; or
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[*Price* 1½*d.*]

[Bill 222.]

A

B I L L

TO

Amend the Law relating to the Disabilities of Married Women in Municipal and other Local Elections. A.D. 1891.

WHEREAS it is expedient that married women, if they possess the qualification, ought not to be omitted from any privilege conferred upon single women:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In all Acts of Parliament relating to the right to vote at municipal and other local elections no woman shall be subject to legal incapacity from voting at such elections by reason of coverture. Married woman not to be incapacitated from voting.

2. This Act may be cited as the Married Women's Disabilities Removal Act, 1891. Short title.

Municipal Elections (Married Women's Disabilities Removal).

A

B I L L

To amend the Law relating to the Disabilities of Married Women in Municipal and other Local Elections.

(*Prepared and brought in by Dr. Clark, Mr. Jacob Bright, Sir Algernon Borthwick, and Mr. Justin M'Carthy.*)

Ordered, by The House of Commons, *to be Printed*, 13 *March* 1891.

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[*Price* ½*d.*]

[Bill 246.]

Municipal Registration (Dublin and Belfast) Bill.

MEMORANDUM.

The object of this Bill is to alter the dates for revising the burgess rolls in Dublin and Belfast, so that the revision in each place shall take place between the 8th and 29th October every year instead of between the 20th October and the 10th November, as at present.

In Dublin since the Ballot Act, in consequence of the late period at which the revision takes place, it has been necessary at the municipal elections to fill up the nomination papers out of the old list, while the election, if there be a contest, must take place on the new one. This procedure, of course, is calculated to lead to litigation.

Moreover, in both Dublin and Belfast, if any appeal is taken from the decisions of the revising barristers there is no time, under the present law, to have it decided before the elections are held.

The proposed alteration in the dates on which the various proceedings connected with municipal registration in Belfast and Dublin are carried on will remove the difficulties and anomalies mentioned and will have no other effect whatever.

A

B I L L

TO

Accelerate the proceedings for the Registration of Burgesses in the Boroughs of Dublin and Belfast, and to alter certain dates and periods connected therewith. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Alteration of dates for registration.

1. The dates and periods specified in the third column of the schedule to this Act shall, with respect to proceedings concerned with the registration of burgesses in the boroughs of Dublin and Belfast, be substituted for the dates and periods specified in the Acts of the session of the sixth and seventh years of the reign of Her present Majesty, chapter ninety-three, and of the session of the twelfth and thirteenth years of the reign of Her present Majesty, chapter eighty-five, so far as regards the matters specified opposite thereto in the first column of the schedule.

Courts of revising barristers.

2. The courts to be held by the revising barristers in the boroughs of Dublin and Belfast for the purpose of revising the lists in the said Acts mentioned shall be held at some time between the *eighth and twenty-ninth days of October*, both inclusive, in every year, instead of between the twentieth day of October and the tenth day of November as in the said Acts mentioned; and such courts may be adjourned from time to time but so that no such adjourned court shall be held after the *twenty-ninth day of October* instead of after the tenth day of November as by the said Acts provided.

Short title.

3. This Act may be cited as the Municipal Registration (Dublin and Belfast) Act, 1891, and shall apply only to the boroughs of Dublin and Belfast.

A.D. 1891.

SCHEDULE.

1st Column.	2nd Column.	3rd Column.
Proceedings concerned with the Registration of Burgesses.	Date or Period under 6 & 7 Vict. c. 93. and 12 & 13 Vict. c. 85.	Substituted Date or Period.
The town clerk to summon the collectors of the several taxes, treasurer, or mayor to attend at the office of town clerk.	Two days at least before 8th September.	Two days at least before the *4th September.*
Town clerk to prepare books containing the names of persons entitled to be burgesses.	On or before the 8th September.	On or before the *4th September.*
Collectors, treasurer, or mayor to attend at town clerk's office to enter particulars of payments of taxes in books.	Within the seven days next succeeding the 8th September.	Within the seven days next succeeding the *4th September.*
Town clerk to make out lists of persons entitled to be on burgess roll.	On or before the 20th September.	On or before the *16th September.*
Town clerk to deliver copy lists to mayor.	On the 20th September	On the *17th September.*
Notice of completion of entries to be given and books to be open for perusal and copies to be given.	During the last ten days of September.	From the *17th* to the *24th September* inclusive (Sundays excepted).
Town clerk to keep original list for perusal.	Between the 20th and 30th September.	From the *18th* to the *24th September* inclusive.
Town clerk to cause copies of lists to be fixed at door of town hall or other conspicuous place.	During eight days before the 1st October.	During six days before the *24th September.*
Notices of claims to be inserted in burgess roll to be given.	On or before the 1st October.	On or before the *24th September.*
Notices of objections to be given	On or before the 1st October.	On or before the *24th September.*

1st Column.	2nd Column.	3rd Column.
Proceedings concerned with the Registration of Burgesses.	Date or Period under 6 & 7 Vict. c. 93. and 12 & 13 Vict. c. 85.	Substituted Date or Period.
Lists of persons claiming and persons objected to to be posted and copies of such lists to be kept by town clerk for perusal.	During eight days next preceding the 20th October.	During six days next preceding the *8th October*.
Burgess roll to be completed -	On or before 20th November.	On or before *10th November*.

Municipal Registration (Dublin and Belfast).

A

B I L L

To accelerate the Proceedings for the Registration of Burgesses in the Boroughs of Dublin and Belfast, and to alter certain dates and periods connected therewith.

(*Prepared and brought in by Mr. Carew, Mr. Johnston, Mr. T. Harrington, Mr. T. W. Russell, Mr. Mahony, and Mr. Clancy.*)

Ordered, by The House of Commons, *to be Printed* 9 *June* 1891.

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[*Price* 1*d.*]

[Bill 358.]

Museums and Gymnasiums Bill.

MEMORANDUM.

This Bill enables urban authorities to provide museums and gymnasiums.

The provisions of the Bill will not take effect until adopted by resolution of the urban authority.

Under the Public Libraries Acts museums can be provided; but there is no power to use the rooms for lectures, &c., or to charge on any occasion for admission.

There is also power under the Baths and Wash-houses Acts to use a swimming bath as a gymnasium during the winter; but there is no power to use any building as a gymnasium unless it is a swimming bath provided under those Acts.

Museums and Gymnasiums Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Extent of Act.
3. Adoption of Act.
4. Power to provide museum and gymnasium.
5. Admission to museum.
6. Admission to gymnasium
7. Byelaws.
8. Closing of museum or gymnasium for repairs.
9. Appointment of officers and servants for museum and gymnasium.
10. Expenses and borrowing.
11. Acquisition of land.
12. Power to sell museum or gymnasium in certain cases.
13. Powers of Act cumulative.
14. Interpretation.

A

B I L L

TO

Enable Urban Authorities to provide and maintain Museums and Gymnasiums. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Museums and Gymnasiums Act, 1891.

Extent of Act.

2.—(1.) This Act shall extend to any district where the same is adopted as herein-after provided.

(2.) This Act shall not extend to Scotland, Ireland, or the administrative county of London.

Adoption of Act.

3.—(1.) This Act may be adopted by any urban authority for their district.

(2.) The adoption shall be by a resolution passed at a meeting of the urban authority, and one month at least before such meeting special notice of the meeting and of the intention to propose such resolution shall be given to every member of the authority, and the notice shall be deemed to have been duly given to a member of it, if it is either—

(*a.*) Given in the mode in which notices to attend meetings of the authority are usually given; or

(*b.*) Where there is no such mode, then signed by the clerk of the authority, and delivered to the member or left at his usual or last known place of abode in England, or forwarded by post in a prepaid letter, addressed to the member at his usual or last known place of abode in England.

(3.) Such resolution shall be published by advertisement in some one or more newspapers circulating within the district of the authority, and by causing notice thereof to be affixed to the principal doors of every church and chapel in the place to which notices are usually fixed, and otherwise in such manner as the

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authority think sufficient for giving notice thereof to all persons interested, and shall come into operation at a time not less than one month after the first publication of the advertisement of the resolution as the authority may by the resolution fix, and upon its coming into operation the Act shall extend to that district.

(4.) A copy of the resolution shall be sent to the Local Government Board.

(5.) A copy of the advertisement shall be conclusive evidence of the resolution having been passed, unless the contrary be shown; and no objection to the effect of the resolution, on the ground that notice of the intention to propose the same was not duly given, or on the ground that the resolution was not sufficiently published, shall be made after three months from the date of the first advertisement.

Power to provide museum and gymnasium.

4. An urban authority may provide and maintain museums for the reception of local antiquities or other objects of interest, and gymnasiums with all the apparatus ordinarily used therewith, and may erect any buildings, and generally do all things necessary for the provision and maintenance of such museum and gymnasiums.

Admission to museum.

5. A museum provided under this Act shall be open to the public not less than three days in every week free of charge, but subject thereto an urban authority may admit any person or class of persons thereto as they think fit, and may charge fees for such admission, or may grant the use of the same or of any room therein, either gratutiously or for payment, to any person for any lecture or exhibition, or for any purpose of education or instruction, and the admission to the museum or room the use of which is so granted may be either with or without payment as directed by the urban authority, or with the consent of the urban authority by the person to whom the use of the museum or room is granted.

Admission to gymnasium.

6.—(1.) A gymnasium provided under this Act shall be open to the public free of charge for not less than *two hours* during five days in every week.

(2.) Subject thereto the urban authority—

(*a.*) may regulate the admission of the public to such gymnasium, either by classes or otherwise as they think fit, may charge fees for such admission; and

(*b.*) may, for not more than two hours in each day, grant the exclusive use thereof to any person or body of persons for the purpose of gymnastic exercises, for such payment and on such terms and conditions as they think fit.

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(3.) An urban authority may (for not more than twelve days in one year nor more than four consecutive days) close the gymnasium for use as a gymnasium, and grant the use of the same gratuitously or for payment to any person for the purpose of any lecture, exhibition, public meeting, entertainment, or other public purpose, and the admission on such days shall be either with or without payment as directed by the urban authority, or with the consent of the urban authority by the person to whom the use of the same is granted.

Byelaws.

7.—(1.) An urban authority may make byelaws for all or any of the following matters, namely:—

(1.) For fixing the days of the week or hours of the day, as the case may be, during which the museum or gymnasium is to be open to the public free of charge.

(2.) For giving special facilities to students for the use of the museum.

(3.) For fixing the fees to be paid for the admission of persons to the museum and for the use thereof by students and other special purposes.

(4.) For regulating the use of the gymnasium either by classes or otherwise, and fixing the scale of fees to be paid for such use.

(5.) For regulating the conduct of persons admitted to the museum or gymnasium.

(6.) For prescribing conditions on which the exclusive use of the museum, or any room therein, or of the gymnasium is granted in any case.

(7.) For determining the duties of the instructor, officers, and servants of the urban authority in connexion with a museum or gymnasium.

(8.) Generally for regulating and managing the museum or gymnasium.

The urban authority may by any such byelaw provide for the removal from the museum or gymnasium of any person infringing any such byelaw by any officer of the urban authority or by any constable.

(2.) All the provisions with respect to byelaws contained in sections one hundred and eighty-two to one hundred and eighty-six of the Public Health Act, 1875, and any enactment amending or extending those sections, shall apply to all byelaws from time to time made by an urban authority under the powers of this Act.

Closing of museum or gymnasium for repairs.

8. An urban authority may at such time as they think fit close a museum or gymnasium provided by them for repairs and shall give a fortnight's notice of their intention to close the same by affixing a

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notice to that effect on the door of the museum or gymnasium, as the case may be, or otherwise as they think fit.

Appointment of officers and servants for museum and gymnasium.

9. An urban authority may appoint and pay such officers and servants as they think fit for the purpose of a museum or gymnasium provided under this Act, and may employ and pay instructors in connexion with a gymnasium.

Expenses and borrowing.

10.—(1.) The fees and other money received by an urban authority under this Act shall be applied in defraying the expenses of the museum or gymnasium in respect of which they are received.

(2.) So far as such expenses are not so defrayed, they shall be defrayed as part of the general expenses of the execution by the urban authority of the Public Health Acts.

(3.) An urban authority may borrow for the purposes of this Act in like manner and subject to the like conditions as for the purpose of defraying the said general expenses, and for that purpose sections two hundred and thirty-three, two hundred and thirty-four, and two hundred and thirty-six to two hundred and thirty-nine, both inclusive, of the Public Health Act, 1875 (relating to borrowing), and two hundred and forty-two and two hundred and forty-three of the same relating to loans by the Public Works Loan Commissioners shall apply.

(4.) Separate accounts shall be kept of the receipts and expenditure of an urban authority in connexion with any museum or gymnasium established under this Act, and such accounts shall be audited in like manner and with the like power to the officer auditing the same as the accounts of an urban authority are for the time being required to be audited by law.

(5.) The expenses of an urban authority under this Act shall not exceed the amount produced by a rate of a *halfpenny* in the pound for a museum, and the like amount for a gymnasium established under this Act.

Acquisition of land.

11.—(1.) Land for the purposes of this Act may be acquired by an urban authority in like manner as if those purposes were purposes of the Public Health Act, 1875, and sections one hundred and seventy-five to one hundred and seventy-eight, both inclusive, of that Act (relating to the purchase of land) shall apply accordingly, but no land shall be so acquired otherwise than by agreement.

(2.) An urban authority may, with the consent of the Local Government Board, appropriate, for the purposes of this Act, any land which may be for the time being vested in them, or at their disposal.

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Power to sell museum or gymnasium in certain cases.

12.—(1.) Where it appears to an urban authority that a museum or gymnasium which has been established under this Act for seven years or upwards is unnecessary or too expensive, they may sell the same for the best price that can reasonably be obtained for the same, and shall convey the same accordingly.

(2.) Any moneys arising from such sale shall be applied toward the repayment of any money borrowed for the purpose of the museum or gymnasium sold, and, so far as not required for that purpose, shall be paid to the credit of the district fund.

Powers of Act cumulative.

13. All powers given to an urban authority under this Act shall be deemed to be in addition to and not in derogation of any other powers conferred by Act of Parliament, law, or custom, and such other powers may be exercised in the same manner as if this Act had not been passed.

Interpretation.

14. In this Act the expression "urban authority" means an urban sanitary authority under the Public Health Acts, and the expression "district" means an urban sanitary district under those Acts.

Museums and Gymnasiums.

A

B I L L

To enable Urban Authorities to provide and maintain Museums and Gymnasiums.

(*Prepared and brought in by Mr. F. S. Powell, Dr. Farquharson, Mr. Edward Hardcastle, Sir Albert K. Rollit, Mr. Kenrick, Mr. Mallock, and Mr. Samuel Smith.*)

Ordered, by The House of Commons, *to be Printed, 9th December* 1890.

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[Bill 159.]

National Institutions (Wales) Bill.

MEMORANDUM.

By this Bill it is proposed to appoint a Secretary of State for Wales. Clause 5 transfers to the Secretary all the powers and duties of a Secretary of State, so far as they relate to Wales, and except those of the Secretary for War. This follows the provisions in the "Secretary for Scotland Acts, 1885–89" (48 & 49 Vict. c. 61, 50 & 51 Vict. c. 52, 52 & 53 Vict. c. 16). Clause 5 also transfers to the Secretary the powers (relating to Wales) of the Local Government Board, the powers of the "Woods and Forests," and of the Charity Commissioners. Clause 6 transfers to the Secretary the powers of the Lord High Chancellor as to the appointment, &c. of magistrates in Wales, and provides for their appointment from lists prepared by the county and borough councils.

Clause 7 transfers to the Secretary some small specified powers of the Privy Council as to Wales. The Secretary is to have power to make certain inquiries in Wales with reference to national industries, &c., and to provide for conduct of legal proceedings in Welsh where he deems such provision desirable. *See* clauses 8, 9.

Welsh Education Department.

Clause 10 enables the Queen to constitute a Welsh Education Department, of which (clause 11) the Secretary may be Vice-President, and to which the powers of the present Education Department will, as far as regards Wales, be transferred (clause 12). This Department may make rules for the utilization, &c. of Welsh in teaching (clause 13).

National Council.

Clauses 14–20 provide for the formation of a Welsh National Council and for its procedure; and clause 21 defines its powers, which include inquiries into the management of Crown lands (which in Wales are very extensive), and other matters of common interest to Wales; application for a Charter for a Welsh University, and for establishing a National Museum; asserting public rights in waste, foreshore, rivers, &c.; the passing of railway and other private Bills of the second class relating to Wales with consent of the Secretary. Clause 22 enables

the Secretary (with consent of the Government Department affected) to transfer other powers of an administrative nature to the National Council. Clause 23 directs that Provisional Orders made by the Secretary shall be confirmed by the National Council in lieu of Parliament. The general expenses of the National Council are to be defrayed as those of the county and county borough councils. Wales in this Bill is defined so as to include Monmouthshire. The privileges of the proposed University for Wales are dealt with by clauses 25–27, which are inserted with the object of placing it in the same position as that now enjoyed by Victoria University, Manchester.

The style of the "Charity Commissioners for England and Wales" is altered by the omission of the reference to the Principality (clause 29).

National Institutions (Wales) Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.

Secretary for Wales.

2. Appointment of a Secretary for Wales.
3. Secretary may sit in Parliament.
4. Seal, style, and acts of Secretary.
5. (1.) Transference of powers and duties of Secretary of State, Local Government Board, Commissioners of Woods, and Charity Commissioners. (2.) Reports, &c. (3.) Exceptions as to War Secretary. (4.) Cases where division would be inconvenient.
6. Appointment of magistrates.
7. Transfer of powers of Privy Council.
8. Inquiries by Secretary.
9. Welsh language in Courts.

Welsh Education Department.

10. Constitution.
11. Secretary to be Vice-President.
12. Transference of powers and duties to Welsh Education Department.
13. Welsh language in schools.

National Council.

14. National Council for Wales and first election.
15. Subsequent elections.
16. Mode of election.
17. Incorporation of council.
18 Chairman.
19. Cesser of membership.
20. Votes of majority to bind.

Clause.

21. Powers of National Council. (1.) Conduct of business. (2.) Discussions and inquiries. (3.) Crown lands. (4.) Charter for university. (5.) Museum. (6.) Funds for university and museum. (7.) Care of public rights. (8.) Private Bills. (9.) Procedure in private Bills. (10.) Confirming Provisional Orders. (11.) Committees.
22. Transfer to National Council of further powers.
23. Provisional orders to come before National Council.
24. Costs of National Council.

University for Wales.

25. Medical council.
26. Mortmain.
27. Graduates' privileges.

Miscellaneous.

28. Interpretation.
29. Style of Charity Commissioners.
30. Commencement of Act.

SCHEDULES.

A

B I L L

TO

Appoint a Secretary for Wales, to constitute a Welsh Education Department, to make further Provision for Local Government, and to create a National Council in Wales. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

1. This Act may be cited as the Secretary for Wales and Local Government Act, 1891. Short title.

Secretary for Wales.

2. It shall be lawful for Her Majesty to appoint a Secretary for Wales (herein-after called the Secretary), who shall appear to Her Majesty to be acquainted with the national wants and administrative requirements of Wales, and who shall hold office during Her Majesty's pleasure. Appointment of a Secretary for Wales.

There shall be paid to the Secretary, out of moneys to be provided by Parliament, a salary of two thousand pounds a year.

The Secretary may appoint such permanent secretaries, inspectors, clerks, and other officers as he may with the sanction of the Treasury determine.

The salaries of such secretaries and other officers of the Secretary's office shall be fixed with the consent of the Treasury, and shall, together with such other expenses of the said office as may from time to time be sanctioned by the Treasury, be paid out of moneys provided by Parliament.

3. The Secretary, if not a member of the House of Lords, shall, if otherwise qualified, be capable of being elected to and of voting in the Commons House of Parliament, and the office of Secretary shall be deemed to be an office included in Schedule H. of the Secretary may sit in Parliament. 30 & 31 Vict. c. 102. s. 52.

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Representation of the People Act, 1867; in Schedule H. of the Representation of the People (Scotland) Act, 1868; in Schedule E. of the Representation of the People (Ireland) Act, 1868; and in Part First of the schedule of the Promissory Oaths Act, 1868, as regards England.

31 & 32 Vict. c. 48. s. 51. 31 & 32 Vict. c. 49. s. 11.

Seal, style, and acts of Secretary.

4. The Secretary may adopt an official seal, and describe himself generally by the style and title of "The Secretary for Wales."

A rule, order, or regulation made by the Secretary shall be valid if it is made under the seal of the Secretary and signed by him or by any secretary or other officer appointed by him for that purpose, and the production of a copy of such rule, order, or regulation, purporting to be certified to be true by any secretary or other officer appointed by him for that purpose, shall, unless the contrary is shown, be a sufficient proof that any such rule, order, or regulation of the Secretary was duly made.

Transference of powers and duties of Secretary of State, Local Government Board, Commissioners of Woods, and Charity Commissioners.

5.—(1.) From and after the commencement of this Act all powers and duties vested in and imposed on one of Her Majesty's Principal Secretaries of State, the Local Government Board for England, the Commissioners of Woods, or the Charity Commissioners, by any Act of Parliament, law, or custom, so far as such powers and duties relate to Wales, shall, subject to the exceptions herein-after mentioned, be transferred to, vested in, and imposed on the Secretary for Wales.

Reports, &c.

(2.) Any report, act, or thing required or authorised by any Act of Parliament, law, or custom to be made or done to or by the said Secretary of State shall, so far as such Act of Parliament, law, or custom applies to Wales be made or done to or by the Secretary for Wales.

Exceptions as to War Secretary.

(3.) Provided always that nothing in this section shall affect any powers, duties, or functions of any of Her Majesty's Principal Secretaries of State as Secretary of State for the War Department.

Cases where division would be inconvenient.

(4.) Provided also, that it shall be lawful for the Secretary for Wales, and the body or person whose power or duty will by force of this section be transferred, in any case where such transfer shall, in the opinion of the said Secretary and body or person, be likely to lead to inconvenience in consequence of any area being partly in England and partly in Wales, or on account of some power or duty being incapable of division with regard to any matter or thing, or in the case of any charities being distributable partly in England and partly in Wales, or the land belonging to any charity being

partly in England and partly in Wales, to make an order, either that such transfer of such power or duty shall not take place with regard to such area or charity or thing, or that a transfer shall take place with regard to the entirety of such area, matter, or thing; and all reports, acts, or things relating thereto mentioned in this section shall be made or done to such body or person as aforesaid, or to the Secretary for Wales, according as such order shall direct.

Appointment of magistrates.

6.—(1.) The powers and duties of the Lord Chancellor with reference to the appointment and removal of magistrates for Wales shall be transferred to the Secretary for Wales.

(2.) The councils of counties and boroughs in Wales shall from time to time, on request by the Secretary for Wales, send lists of such persons as they shall think fit to hold the office of magistrate, and magistrates for such counties and boroughs shall be appointed from among the persons named in the lists sent in by the councils of the respective counties and boroughs.

Transfer of powers of Privy Council.

7.—(1.) All powers and duties vested in or imposed on the Privy Council by the enactments specified in the First Schedule to this Act, so far as such duties and powers relate to Wales shall, on and after the appointment of the Secretary, be transferred to, vested in, and imposed on the Secretary.

Any report, act, or thing required or authorised by the said enactments, or any of them, to be made or done to the Privy Council or any committee thereof, and any report required to be made to Her Majesty by virtue of any of the said enactments, shall, so far as such enactments apply to Wales, from and after the appointment of the said Secretary be made to or be done by or to the Secretary.

Inquiries by Secretary.

8. The Secretary shall have power with regard to Wales to institute inquiries into the development of fisheries and harbours, the reclamation and afforesting of waste lands, and the development of industries generally.

Welsh language in courts.

9. Notwithstanding the enactment in twenty-seventh Henry the Eighth chapter twenty-six section seventeen contained, the Secretary shall have power to order that the proceedings in Her Majesty's courts of justice in Wales, shall be wholly or partially conducted in the Welsh language whenever such a course shall appear to him desirable and expedient from local circumstances and in the interests of justice, and subject to such conditions and restrictions as he shall from time to time direct, and he shall have power to modify and rescind such orders.

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Welsh Education Department.

Constitution.

10. It shall be lawful for Her Majesty to constitute a Welsh Department of Education, consisting of the Lord President of the Council, the Secretary for Wales, and such members of the Privy Council as Her Majesty may appoint.

Secretary to be Vice-President.

11. It shall be lawful for Her Majesty from time to time, by warrant under the Royal Sign Manual, to appoint the Secretary for Wales to be Vice-President of the Welsh Education Department.

Transference of powers and duties to Welsh Education Department.

12. From and after the appointment of the Vice-President of the Welsh Education Department as herein-before provided, all powers and duties vested in or imposed on the Education Department shall, as far as regards Wales, be transferred to, vested in, and imposed on the Welsh Education Department constituted under this Act.

Welsh language in schools.

13. The Welsh Education Department shall have power to make orders, rules, and regulations for the better utilisation of the Welsh language in elementary educational teaching in Wales, and for instruction in that language in any school in Wales which receives a grant out of moneys provided by Parliament.

National Council.

National Council for Wales and first election. [Compare joint committee of county councils, *see* Local Government Act, 1888, s. 81.]

14. On the application to the Secretary for Wales of any five county councils of Wales that a central council of the sixteen counties and county boroughs of Wales be formed, the Secretary shall have power to fix the number of members of such council and to allocate the number to be elected by each county council of Wales, and each county council may elect such number, and the Secretary for Wales shall summon such National Council to meet in such place within Wales and at such time as he may think fit. The Secretary shall preside over the first meeting of the council.

Subsequent elections.

15. Within one month after every triennial election of county councillors the Secretary for Wales shall summon the National Council to be elected and meet as aforesaid. The members of the National Council shall retire when the triennial retirement of county councillors takes place.

Mode of election.

16. The mode of election shall be in all respects conducted in accordance with rules from time to time prescribed. Such rules may also provide for filling up casual vacancies in the National Council, and the Secretary may, if he think fit, increase or diminish the number of members to be elected on the National Council or the number allocated to any county council by making a rule to this

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effect not less than three months before a triennial election of county councillors, which shall come into force for the next and subsequent elections of the National Council.

Incorporation of council.

17. The National Council shall be a body corporate by the name of "The National Council for Wales," and shall have perpetual succession and a common seal and power to acquire and hold land for the purposes of their constitution without license in mortmain. [L. G. A., 1888, s. 79.]

Chairman.

18. The chairman of the National Council shall be from time to time elected by such council from among the members of such council, and he shall continue in office for one year, or for such less period as shall be declared by standing orders, unless he shall sooner cease to be a member of the National Council, or shall resign his office of chairman. [M. C. Act, 1882, s. 15.]

Cesser of membership.

19. No member of the Central Council shall hold office or retain his seat on the Council after he has ceased to be a member of the county council which elected him.

Votes of majority to bind.

20. All acts of the Council, and all questions coming or arising before the Council, may be done and decided by the majority of such members of the Council as are present and vote at any meeting held in pursuance of this Act, the whole number present at the meeting, whether voting or not, not being less than one-third of the number of the whole Council.

Quorum. [M. C. Act, 1882, 2nd Sched. R. 10.]

21. The National Council shall have the following powers:

Powers of National Council. Conduct of business.

(1.) To make from time to time standing orders for the regulation of their meetings, proceedings, and business, and vary and revoke the same. So far as not regulated by this Act or by standing orders, meetings, proceedings, and business shall be held, carried on, and done as directed by the Local Government Act, 1888, with reference to a county council so far as the same shall be applicable.

Discussions and inquiries.

(2.) To discuss and inquire into such matters as they shall deem of common interest to Wales.

Crown lands.

(3.) To inquire into the management of the Crown Lands in Wales, and especially with reference to the provision made thereon for allotments and housing of the working classes, and also as to the provision made for asserting the rights of the Crown as to foreshore, waste and common lands, and mountains, and minerals, and for securing the reversion of the Crown in any land, and money representing land, entailed under thirty-fourth and thirty-fifth Henry the Eighth, chapter twenty, and as to sales of land and fee farm and quit rents belonging to the Crown in or arising out of land in Wales.

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Charter for University.

[*See* clauses 25–27.]

(4.) To apply for a Royal Charter for a University for Wales to comprise the following colleges :—

The University College of Wales, Aberystwith.

The University College of North Wales, Bangor.

The University College of South Wales and Monmouthshire, Cardiff.

And it shall not be necessary to lay such application or a copy of the Draft Charter before Parliament.

Museum.

(5.) To establish a National Museum for Wales, to apply for a charter of incorporation of the same; and to apply to Parliament for an Act to enable the trustees of the British Museum situate in Bloomsbury, in the county of London to give to such museum for Wales any books, manuscripts, works, objects, or specimens, which in the opinion of the said trustees especially concern Wales or the *Cymric* race.

Funds for University and Museum.

(6.) To introduce into Parliament such Bills as they may think necessary for raising funds for the purposes of such University and National Museum.

Care of public rights.

(7.) To assert the right of the public to the use and enjoyment of any waste or common land, foreshore, or fishery, and to access to mountains and waterfalls, rivers, inlets of the sea, broads and village greens, and open spaces, highways and footpaths, wherever in Wales in the opinion of the National Council such right exists, with power to pay the costs of defending any legal proceeding, civil or criminal, which has been brought against any person for exercising such right, or with the view of disproving the existence thereof, or which would, if decided against such person, in the opinion of the council injuriously affect such right or be evidence that no such right existed.

Private Bills.

(8.) To pass Bills in the nature of private Bills for the purposes in Wales mentioned in the Second Schedule hereto, having such clauses as shall at the period of the passing thereof be usual in Acts of Parliament passed for the like purposes, with the consent of the Secretary. Such Bills shall have no force or effect until approved by the Secretary, but after such approval they shall have the force of law. The consent of the Secretary to any Bill shall be conclusive evidence that the clauses introduced therein are within the power hereby given. For the purposes of such Bills the National Council and any committee appointed by it for dealing with Bills shall have all the powers, jurisdiction, and authority now possessed by a select committee of either House of Parliament for the like

purposes, including power to summon and examine on oath witnesses to require production of books, papers, and documents, and to award costs and to fix fees for private Bills.

Procedure in private Bills.

(9.) To make from time to time standing orders for such Bills and vary and revoke the same but so that such standing orders give protection to the dwellings of the labouring classes which in the opinion of the Secretary for Wales shall not be less than that provided for by the standing orders of the House of Commons for the time being in force.

Confirming Provisional Orders.

(10.) To confirm Provisional Orders made by the Secretary.

Committees.

(11.) To appoint committees with such powers and duties of the National Council delegated to them, and subject to such regulations as the National Council may from time to time determine.

Transfer to National Council of further powers. *See* 52 & 53 Vict. c. 50. s. 15.

22.—(1.) After the *commencement of this Act* it shall be lawful for the Secretary for Wales to make from time to time an order for transferring to the National Council for Wales any such powers and duties of the Privy Council, the Board of Agriculture, the Board of Trade, or any other Government Department, as are conferred by or in pursuance of any statute, and appear to relate to matters arising within Wales and to be of an administrative character, and such order shall make such exceptions and modifications as appear to be expedient, and also such provisions as appear necessary or proper for carrying into effect such transfer, and for that purpose may transfer any power vested in Her Majesty in Council.

(2.) Provided that before any such order is made, the draft thereof shall be approved, if it relates to the powers or duties of the Board of Trade or any Government Department, by such Board or Department.

Provisional Orders to come before National Council. *See* s. 21 (10).

23. All orders made by the Secretary for Wales under any Act of Parliament which but for this section would be Provisional Orders merely, shall by virtue of this Act, after confirmation by the National Council for Wales, be absolute orders and have the same force and effect as if they had been confirmed by or included in an Act of Parliament.

Costs of National Council. 51 & 52 Vict. c. 41. s. 81. (5.) *Id.* s. 71.

24.—(1.) The costs of the National Council shall be defrayed by the councils of the counties and county boroughs of Wales in such proportion as shall be agreed upon by them, or in default of agreement as shall be decided by the Secretary for Wales, and the accounts of such National Council and its officers shall be audited like those of a county council.

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(2.) If not less than twelve councils of counties and county boroughs in Wales pass a resolution in the prescribed form that a sum of money be raised in Wales for the purposes of the National Council, such resolution shall have the same effect as though all the councils of the said counties and county boroughs concurred, and every such Council shall pay its proportion accordingly.

University for Wales.

Medical council.

49 & 50 Vict. c. 48. s. 7.

25. If the Royal Charter establishing a University for Wales shall so direct, one person chosen from time to time by such University in the manner by such Charter directed, shall become a member of the general council under the Medical Acts.

Mortmain.

51 & 52 Vict. c. 42. s. 7.

26. Such University shall be entitled to the same exemptions from the Mortmain and Charitable Uses Act, 1888, as are for the time being enjoyed by Victoria University, Manchester.

Graduates' privileges.

[*See* 51 & 52 Vict. c. 45.]

27. Wherever any office is or shall be open to graduates of the Universities of Oxford, Cambridge, and London, or wherever any privilege or exemption has been or shall be given by any Act of Parliament or regulation of any public authority to graduates of the Universities of Oxford, Cambridge, and London, graduates of the University of Wales, having the degree which would be a qualification if it had been granted by the Universities of Oxford, Cambridge, or London, may become candidates for, and may hold any such office, and shall be entitled to all such privileges as fully as graduates of any of the last-mentioned universities.

Miscellaneous.

Interpretation.

28. In this Act—

Wales shall include Monmouthshire.

"Prescribed" shall mean prescribed by the Secretary for Wales.

Style of Charity Commissioners.

29. The name and style of the Charity Commissioners shall henceforth be the "Charity Commissioners for England."

Commencement of Act. [52 & 53 Vict. c. 63. s. 37.]

30. This Act shall commence on the first day of January which shall be next after the passing of the Act, except the provisions relating to the appointments of the Secretary and his power of making rules, and section five, sub-section (4) which shall come into operation immediately on the passing of this Act.

SCHEDULES.

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SCHEDULE I.

POWERS AND DUTIES OF THE PRIVY COUNCIL. Sect. 7.

County and Borough Police - -	19 & 20 Vict. c. 69. s. 5.
Public Health - - -	21 & 22 Vict. c. 97.

SCHEDULE II.

Making, maintaining, varying, extending, or enlarging any— Sect. 21 (8).

Aqueduct.	Harbour.
Archway.	Navigation.
Bridge.	Pier.
Canal.	Port.
Cut.	Railway.
Dock.	Reservoir.
Drainage—where it is not provided in the Bill that the cut shall not be more than eleven feet wide at the bottom.	Sewer.
	Street.
	Tramway.
	Tunnel.
Embankment, for reclaiming land from the sea or any tidal river.	Turnpike, or other public carriage-road.
Ferry, where any work is to be executed.	Waterwork.

Provided that the same is or is to be in Wales.

National Institutions (Wales).

A

B I L L

To appoint a Secretary for Wales, to constitute a Welsh Education Department, to make further Provision for Local Government, and to create a National Council in Wales.

(*Prepared and brought in by*
Mr. Alfred Thomas, Mr. Thomas Ellis,
Mr. Bowen Rowlands, Mr. Randell,
Mr. Pritchard Morgan, Mr. Lloyd George,
Mr. Lloyd Morgan, Mr. Thomas Price,
Mr. Samuel Evans, and Mr. Lewis,)

Ordered, by The House of Commons, *to be Printed,*
15 *July* 1891.

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88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 2*d.*]

[Bill 411.]

A

B I L L

TO

Improve the condition of National School Teachers in Ireland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may be cited for all purposes as the National School Teachers (Ireland) Act, 1891.

Interpretation of terms. **2.** In construing this Act, the expressions "contributory union" and "result fees" shall have the meaning assigned to them in the National School Teachers (Ireland) Act, 1875.

Increase of teachers salaries. **3.** *From and after the passing of this Act the class or fixed salaries of national teachers shall be paid according to the schedule annexed to this Act, and notwithstanding anything in the National School Teachers (Ireland) Act,* 1875, *all national teachers shall be paid results fees on the scale on which such fees are now paid to teachers in contributory unions.*

Amendment of 38 & 39 Vict. c. 82. **4.** Wherever the words "five pounds" and "thirty-five years" occur in the third section of the National School Teachers Residences (Ireland) Act, 1875, the words "*three pounds fifteen shillings*" and "*fifty years*" are hereby respectively substituted.

Amendment of 42 & 43 Vict. c. 74. **5.** For the words "sixty-five years" and "sixty years" in the National School Teachers (Ireland) Act, 1879, the words "*sixty years*" and "*fifty-five years*" are hereby respectively substituted, and all national teachers shall be entitled to the maximum rates of pensions awarded to their class on attaining the age of *sixty years* in the case of males, and *fifty-five years* in the case of females. All teachers who retire at earlier ages than the maximum herein prescribed shall be entitled to their reduced pensions five years earlier than they would have been if this Act had not been passed.

[Bill 38.]

A.D. 1891.

Maximum of years service.

6. Every national teacher of *thirty-five years* service shall be entitled to the maximum pension awarded to his class, and should he, through physical incapacity, be compelled to retire before he has completed thirty-five years service he shall be allowed *one thirty-fifth* of said maximum for every year of such service.

Power to acquire suitable building sites.

7. The trustees of national schools in Ireland shall have the power under this Bill to compulsorily acquire convenient sites for residences as may be required by national school teachers in Ireland.

SCHEDULE.

RATES of CLASS or FIXED SALARIES of TEACHERS of IRISH NATIONAL SCHOOLS.

	Males.	Females.	
	£	£	
First Class, 1st Division - - -	*120*	*84*	per annum.
„ 2nd Division - - -	*100*	*64*	„
Second Class, 1st and 2nd Divisions - -	*78*	*52*	„
Third Class, 2nd and 3rd Divisions - -	*52*	*40*	„

National School Teachers (Ireland).

A

B I L L

To improve the condition of National School Teachers in Ireland.

(*Prepared and brought in by Mr. Dalton, Mr. Sexton, Mr. John O'Connor, Mr. Conway, and Mr. Knox.*)

Ordered, by The House of Commons, *to be Printed*, 26 *November* 1890.

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HODGES, FIGGIS & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 38.]

A

B I L L.

INTITULED

An Act to revive certain sections of an Act of the fifth year of the reign of King George the Fourth, chapter fifty-one, for the purpose of carrying into effect engagements with France respecting Fisheries in Newfoundland, and for other purposes. A.D. 1891.

WHEREAS divers engagements beginning in the year one thousand seven hundred and thirteen have been entered into between Great Britain and France respecting the Newfoundland fisheries:

And whereas for the purpose of carrying into effect such engagements (in this Act referred to as the Newfoundland fishery engagements) the Act of 1824 mentioned in the schedule to this Act enacted the sections set out in that schedule:

And whereas a legislature known as the General Assembly was duly constituted in and for Newfoundland in the year one thousand eight hundred and thirty-two:

And whereas in view of the powers so vested in the Legislature of Newfoundland the Act of 1824, which was a temporary Act, was continued for a limited time only, and was allowed to expire on the thirty-first day of December one thousand eight hundred and thirty-four; but the Legislature of Newfoundland have made no provision of a similar character:

And whereas since the expiration of the Act of 1824, the officers of Her Majesty's ships have continued as before to carry into effect under Her Majesty's orders and instructions the Newfoundland fishery engagements, and recently, in consequence of the absence of legislative provision, doubts have arisen as to the powers of the said officers for that purpose:

And whereas differences have arisen between the United Kingdom and France with respect to the Newfoundland fishery engagements, and negotiations are in progress with a view to arrange such differences, by referring the questions in dispute to arbitration, and

A.D. 1891.

pending the completion of such negotiations temporary arrangements may from time to time be necessary, and it is expedient to remove the above doubts, and revive the enactments set out in the First Schedule to this Act, and apply the same to any temporary arrangements that may be made as aforesaid:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Revival of 5 Geo. 4. c. 51. ss. 12, 13.

1. The enactments set out in the First Schedule to this Act shall be revived and have full effect.

Instructions may be given to Governor of Newfoundland for purposes of fulfilling temporary arrangements and decision of arbitrators.

2. It shall and may be lawful for Her Majesty, Her heirs and successors, by advice of Her or their Council, from time to time to give such orders and instructions to the Governor of Newfoundland, or to any officer or officers on that station, as She or they shall deem proper and necessary to enforce and carry out a temporary arrangement made with France for the fishery season of one thousand eight hundred and ninety-one set out in the Second Schedule to this Act, and any continuation of the same pending the arbitration agreed upon in the first, second, third, fifth, sixth, and seventh articles of an agreement between Great Britain and France, signed on the eleventh day of March one thousand eight hundred and ninety-one, and to give effect to the decision in such arbitration; and in case it shall be necessary to that end to give orders and instructions to the Governor, or other officer or officers aforesaid, to remove or cause to be removed any erections or other works whatever, for the purpose of carrying on the catching and preparation of lobsters, erected by Her Majesty's subjects on that part of the coast of Newfoundland which lies between Cape Saint John passing to the north, and descending to the western coast of the said island to the place called Cape Raye, and also all ships, vessels, and boats belonging to Her Majesty's subjects which shall be found within the limits aforesaid; and also, in case of refusal to depart from within the limits aforesaid, to compel any of Her Majesty's subjects to depart from thence; any law, custom, or usage to the contrary notwithstanding. The provisions of section thirteen of the Act of 1824 contained in the First Schedule to this Act are hereby enacted and applied to the orders and instructions in this section mentioned.

Suspension of Act on provision being made

3. Where Her Majesty the Queen in Council is satisfied that by any law made before or after the passing of this Act by the Legislature of Newfoundland, sufficient provision is made for carrying into effect

under Her Majesty's orders and instructions the Newfoundland fishery engagements, and the aforesaid temporary arrangement, and any such continuation thereof as above in this Act mentioned, and any provision for giving effect to the decision in the arbitration as above in this Act mentioned, it shall be lawful for Her Majesty in Council to suspend the operation of this Act, or any part thereof, so long as such law continues in force and no longer, and to direct that such law or any part thereof shall have effect with or without modifications and alterations as if it were part of this Act, and any Order in Council so made shall have full effect.

A.D. 1891.

Suspension by Legislature of Newfoundland.

4. This Act may be cited as the Newfoundland Fisheries Act, 1891.

Short title.

A.D. 1891.

SCHEDULES.

FIRST SCHEDULE.

Enactments of Act of 1824 Applied.

5 Geo. 4. c. 51., intituled "An Act to repeal several laws relating to the "fisheries carried on upon the Banks and Shores of Newfoundland, and to "make provision for the better conduct of the said Fisheries for five years, "and from thence to the end of the then next session of Parliament."

Section XII.

Instructions may be given to Governor of Newfoundland for Purposes of fulfilling Treaties, &c. with Foreign States.

It shall and may be lawful for His Majesty, His Heirs and Successors, by advice of His or their Council, from Time to Time to give such Orders and Instructions to the Governor of Newfoundland, or to any Officer or Officers on that Station, as He or they shall deem proper and necessary to fulfil the Purposes of any Treaty or Treaties now in force between His Majesty and any Foreign State or Power; and in case it shall be necessary to that end, to give Orders and Instructions to the Governor, or other Officer or Officers aforesaid, to remove or cause to be removed any Stages, Flakes, Train fats, or other Works whatever, for the Purpose of carrying on the Fishery, erected by His Majesty's Subjects on that Part of the Coast of Newfoundland which lies between Cape Saint John passing to the North, and descending to the Western Coast of the said Island to the Place called Cape Raye, and also all Ships, Vessels, and Boats belonging to His Majesty's Subjects which shall be found within the Limits aforesaid; and also, in case of Refusal to depart from within the Limits aforesaid, to compel any of His Majesty's Subjects to depart from thence; any Law, Custom, or Usage to the contrary notwithstanding.

Section XIII.

Penalty on Persons neglecting to comply with such Instructions £50.

If any Person or Persons shall refuse, upon Requisition made by the Governor, or any Officer or Officers acting under him in pursuance of His Majesty's Orders or Instructions as aforesaid, to depart from within the Limits aforesaid, or otherwise to conform to such Requisitions and Directions as such Governor or other Officer as aforesaid shall make or give for the Purposes aforesaid, every such Person or Persons so refusing or otherwise offending against the same, shall forfeit the Sum of Fifty Pounds sterling Money: Provided always, that every such Suit or Prosecution, if the same is commenced in Newfoundland, shall be commenced within One Year, and if commenced in any of His Majesty's Courts of Record at Westminster, within Two Years from the Time of the Commission of such Offence.

SECOND SCHEDULE.

A.D. 1891.

The questions of principle and of respective rights being entirely reserved on both sides, the British and French Governments agree that the status quo shall be maintained during the ensuing season on the following bases:—

Without France or Great Britain demanding at once a new examination of the legality of the installation of British or French lobster factories on the coasts of Newfoundland, where the French enjoy rights of fishing conferred by the Treaties, it is understood that there shall be no modification in the positions ("emplacements") occupied by the establishments of the subjects of either country on the first of July one thousand eight hundred and eighty-nine, except that a subject of either nation may remove any such establishment to any spot on which the commanders of the two naval stations shall have previously agreed.

No lobster fisheries which were not in operation on the first of July one thousand eight hundred and eighty-nine shall be permitted unless by the joint consent of the commanders of the British and French naval stations.

In consideration of each new lobster fishery so permitted it shall be open to the fishermen of the other country to establish a new lobster fishery on some spot to be similarly settled by joint agreement between the said naval commanders.

Whenever any case of competition in respect of lobster fishery arises between the fishermen of either country, the commanders of the two naval stations shall proceed on the spot to a provisional delimitation of the lobster fishery grounds, having regard to the situations acquired by the two parties.

N.B.—It is well understood that this arrangement is quite provisional, and shall only hold good for the fishing season which is about to open.

Newfoundland Fisheries. [H.L.]

A

B I L L

INTITULED

An Act to revive certain sections of an Act of the fifth year of the reign of King George the Fourth, chapter fifty-one, for the purpose of carrying into effect engagements with France respecting Fisheries in Newfoundland, and for other purposes.

(*Brought from the Lords* 12 *May* 1891.)

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HODGES, FIGGIS, & Co., 104, Grafton Street Dublin.

[*Price* 1*d.*]

[Bill 339.]

A

B I L L

TO

Provide for the Registration of Occupiers and Lodgers in the Metropolis. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Successive occupation of lodgings and house.

1.—(1.) If a man occupies in immediate succession, whether as owner or tenant, or as lodger, throughout the qualifying period different premises within the metropolitan area, each of which, if so occupied by him continuously throughout that period, would have entitled him to be registered as an occupation voter, he shall be deemed to possess the qualification which would have been conferred upon him by the occupation throughout the qualifying period of the premises occupied by him at its close, and shall be entitled to be registered accordingly, provided that he has been in occupation of the last house or lodgings for a period of three months prior to the *fifteenth day of July* in any year within the parliamentary division for which he seeks to be registered.

(2.) The occupation by a man of the same premises during part of the qualifying period as owner or tenant, and during the remainder thereof as lodger, or vice versa, where such premises are situate within the metropolitan area, shall have the same effect in qualifying him to be registered and to vote as a continuous occupation of the premises by him throughout the qualifying period in the character in which he occupies them at the close of that period would have had.

(3.) The occupation in immediate succession throughout the qualifying period of different lodgings in different houses within the metropolitan area shall have the same effect for the purpose of qualifying a lodger to be registered and to vote as continuous occupation of the same lodgings, provided that he has resided at the last lodgings for a period of three months prior to the *fifteenth day of July* in any year.

A.D. 1891.

(4.) In this section the expression "occupation voter" has the same meaning as in the Registration Act, 1885.

Power of amendment by revising barrister enlarged.

2. A person entitled to be registered as a voter at Parliamentary elections in respect of the successive occupation of a dwelling-house, lodgings, or other qualifying premises shall not be disqualified by reason only that such successive occupation is not stated, or is insufficiently stated in any list of voters or notice of claim; but if such particulars, being either wholly omitted or insufficiently described, are supplied to the satisfaction of the revising barrister before he shall have completed the revision of the list in relation to which such omission or insufficient description occurs, he shall then and there insert the same in the list, or amend the claim accordingly.

Separate lodger list in register abolished.

3. Lists of lodger claimants shall be prepared for revision as heretofore, but from and after the *passing of this Act*, the names of voters qualified as lodgers shall be inserted in the register, together with occupiers, in Division II., in alphabetical or in street order as the circumstances of the case demand; and no separate list of lodgers shall appear in the register of voters for any metropolitan borough.

Forms.

4. The forms contained in the schedule hereto shall be considered as part of this Act, and may be used in substitution for those of a similar character in the schedule to the Registration Act, 1885, as amended by the Order of the Queen's most Excellent Majesty in Council of the second day of March 1889.

Short title.

5. This Act may be cited as the Registration of Voters (Metropolis) Act, 1891.

Definition.

6. The expression "metropolitan area" in this Act means the City of London and the parishes and places mentioned in Schedules A., B., and C. to the Metropolis Management Act, 1855, as amended by subsequent Acts.

Form A.

REGISTRATION OF VOTERS (METROPOLIS) ACT, 1891.

Schedule.

CLAIM OF LODGER.

To the Overseers of the Parish of _____.

I claim to have my name inserted as a Lodger among the Parliamentary Electors for the Borough of _____ Division, in respect of the qualification named below:—

Name of Claimant in full, Surname being First.	Place of Abode.	Nature of Qualification.	Position of Lodgings.	Number and Value of Rooms, and whether Furnished or not.	Name and Address of Landlord or other Person to whom Rent is paid.
e.g. Smith, John.	37, London Street.	Lodgings.	2nd floor.	3 rooms, 5*s.* per week, unfurnished.	John Brown, 37, London Street.

A 2

Declaration of Lodger Claimant.

I hereby declare that I have, during the twelve calendar months immediately preceding the 15th day of July in this year, occupied as sole tenant (or as joint tenant with _____), and resided in the above-mentioned lodgings, and that those lodgings are of a clear yearly value, if let unfurnished, of _____ pounds or upwards.

Dated the _____ day of _____ 189__.

Signature of Claimant _____.

Declaration of Witness.

I, the undersigned, hereby declare that I have witnessed the signature of the above-named _____ to the above claim at the date stated, and that I believe the above claim to be correct.

Dated the _____ day of _____ 189__.

Signature of Witness _____.

Residence of Witness _____.

Occupation or Calling _____.

It shall be an instruction to the Overseers or other authority that, in inserting the Lodgers in the Occupiers' List, only the particulars of the first four columns are to be inserted. "Position of Lodgings" supplying the "Description of Qualifying Property" is to be inserted thus:—"37, London Street, 2nd floor."

Form B.

REGISTRATION OF VOTERS (METROPOLIS) ACT, 1891.

To the Overseers of the Parish of _____.

I claim to have my name inserted among the Parliamentary Electors for the Parliamentary Borough of _____ (_____ Division), in respect of the qualification named below:—

Name of Claimant in full, Surname being first.	Present Place of Abode.	Description of Qualifying Premises now occupied.	Description of Qualifying Premises previously occupied, and where situate.
(*e.g.*) Smith, John.	33, Suffolk Street.	(*a.*) Dwelling House, *or*, (*b.*) Lodgings. 2nd floor unfurnished; 6*s.* per week.	Lodgings: 20, Dover Street. 2nd floor unfurnished; 5*s.* per week.

and I hereby declare that I have occupied the above-named premises in immediate succession, and from the 15th day of July 189__ to the 15th day of July 189__.

Dated _____.

Signed _____.

Occupiers and Lodgers (Metropolis).

A

B I L L

To provide for the Registration of Occupiers and Lodgers in the Metropolis.

(*Prepared and brought in by Mr. James Stuart, Mr. Causton, Mr. Howell, Mr. Cremer, Mr. James Rowlands, and Mr. Pickersgill.*)

Ordered, by The House of Commons, *to be Printed,* 23 *January* 1891.

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[*Price* 1*d.*]

[Bill 170.]

Occupying Tenants Enfranchisement Bill.

MEMORANDUM.

The object of this Bill is to facilitate occupiers becoming the owners of the freeholds of the land and houses they occupy for residential or for trade purposes.

This is carried out in two ways, namely, first by giving the occupying tenant the right to purchase the freehold, and second, by giving freeholders—part of whose property has been purchased by occupying tenants—the right to require the local authority to take the adjacent portions and to offer them to the occupiers.

Occupying Tenants.

The first part of the Bill refers to occupying tenants who are defined as those who actually occupy the premises and who hold a lease of 20 years unexpired, or who have, or whose parents have occupied the premises for at least 20 years with or without a lease. Such persons by a simple process at the county court can get the value of the freehold fixed, they paying the costs (which are fixed by the Bill), and five per cent. for compulsory purchase.

When the title is good and when the freehold and sub-lessors who are interested in the holding agree as to the division of the purchase money, the occupying tenant pays the purchase money into court; the court divides it and issues a certificate of purchase to the occupying tenant who becomes the freeholder.

When the title is not good or when the freeholder and sub-lessors cannot agree in the division of the purchase money, then the court under the Bill issues a certificate of purchase at rentcharge to the occupying tenant, who becomes the freeholder, subject to the payment either of the rents named in the leases or sub-leases as they become operative or four per centum on the purchase money whichever is the greater.

Leaseholders can only enfranchise under this Bill if they are also occupying tenants, the aim of the Bill being not to get rid of the present freeholder and put a middleman in his place, but simply to enable those actually occupying and using the land and premises to become their own freeholders.

Freeholders selling to Local Authorities.

This is carrying out the idea suggested in the report of the Town Holdings Committee, that local authorities should under certain conditions themselves purchase and re-sell to occupiers.

The Bill provides that any freeholder, part of whose property has been taken by an occupying tenant under this Bill, shall have the right to require the local authority (the county council) to purchase the adjacent property belonging to him. The adjacent property is defined as the remainder of the street, road, square, &c.

The value of the property, the Bill provides, shall be fixed in a similar way to that in the first part of the Bill, except that no allowance is to be made for compulsory sale, and the costs (fixed by the Bill) are to be paid by the local authority.

When purchased the local authority is to offer each holding at a price just sufficient to cover the cost and all reasonable expenses to each occupier, however long or however short a time he may have been an occupier. Occupiers purchasing may pay the purchase money by instalments over fifteen years or take the holding by perpetual rentcharge. Occupiers who do not purchase become tenants of the local authorities.

Freeholders may also under the Bill sell the rentcharges created under the Bill to the local authority.

Restrictive Covenants.

The Bill provides that all restrictive covenants which concern the property in common with adjoining occupiers or owners are to be maintained and are to be enforced by the local authority.

Persons not Qualified to Benefit by the Bill.

The Bill excludes clergymen, ministers, officials, managers, and those who occupy their employers' property, also those who reside in portions of holdings and flats, and persons who occupy from the charity of others, from claiming the benefit of the Bill.

Subsequent Dealings with Enfranchised Holdings.

The Bill provides a simple and cheap way of subsequently dealing with enfranchised holdings through the agency of the court and at a fixed fee.

Occupying Tenants Enfranchisement Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.
2. Commencement of Act.
3. Interpretation of terms.

Occupying Tenants.

4. Occupying tenant may acquire reversion by purchase.
5. Power to acquire reversions concurrently.
6. Occupying tenant may purchase reversions by agreement.
7. Notice by occupying tenant of intention to acquire freehold.
8. Action in case of improper application.
9. Action when application proved and all parties agree in price of holding.
10. Action if valuation not approved by freeholder or sub-lessors.
11. Action if second valuation not approved for final decision of value.
12. Payment of purchase money into court and issue of certificate of purchase.
13. Distribution of purchase money.
14. Action when title cannot be readily proved or dispute in the division of the purchase money.
15. Action when title cannot be proved or dispute in the division of the purchase money cannot be overcome—issue of certificate of purchase by rentcharge.
16. Deposit to be returned on issue of certificate of purchase by rentcharge.
17. Certificate of purchase or certificate of purchase by rentcharge equal to fee simple.

Freeholders Selling to Local Authorities.

18. Freeholder may require local authority to purchase adjacent property or rentcharge.

Clause.
19. Local authority to take action to verify freeholder's application.
20. Local authority's action concerning title.
21. Action in defective title.
22. Action if title satisfactory and price approved.
23. Action when value cannot be agreed to.
24. Payment to freeholder.
25. All freeholds purchased by local authority to be offered to occupiers.
26. Mode of procedure for purchase by occupiers from local authority.
27. Purchase by occupiers from local authority may be by instalments.
28. Occupiers who do not purchase from local authority.
29. Local authority may borrow for this Act.

Mode of Assessing Values.

30. Considerations for assessment of purchase money.

Restrictive Covenants.

31. Restrictive covenants, which are and which are not to be observed.
32. Local authority to enforce covenants.

Scale and Regulation of Fees.

33. Scale of law costs to be paid by occupying tenant.
34. Scale of valuation fee.
35. Scale of freeholders costs of sale to local authority to be paid by local authority.
36. Valuation fee of sale by freeholder to local authority.
37. Costs in case of default of occupying tenant or freeholder or of unfounded claim.

Persons not qualified to Benefit by this Act.

38. Persons not qualified to benefit by this Act.

Subsequent Dealings with Enfranchised Holdings.

39. Subsequent sales, &c., may be effected at court at fixed fee.

Miscellaneous Enactments.

Clause.
40. Provision for cases of disability.
41. Trustees may purchase under certain conditions.
42. Provision in case of irregularities.
43. Limitation in certain cases of right to apply to court.
44. Appeals.
45. Rules.
46. Forms in schedule.
47. Notices may be printed or written.
48. Service of notices.
SCHEDULE.

A

B I L L

TO

Enable Occupying Tenants of Houses and Places of Business to purchase the Fee Simple of their Holdings. A.D. 1890.

WHEREAS it is expedient to amend the law so as to give to occupying tenants the power to acquire the freehold reversion expectant on the determination of their leases, and any intermediate interests in such property:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Occupying Tenants Enfranchisement Act, 1891.

Commencement of Act.

2. This Act shall come into operation on the *first day of September one thousand eight hundred and ninety-one*, which date is herein-after referred to as the commencement of this Act.

Interpretation of terms.

3. In this Act the following words and expressions shall have the interpretations and meanings in this section assigned to them respectively, unless there be something in the subject or context repugnant to such construction (that is to say):—

"Lease" means a lease, under-lease, assignment operating as a lease or under-lease, or an agreement for such lease, under-lease, or assignment, for a term of which twenty years shall be unexpired at the time of giving notice of an intention to exercise the powers conferred by this Act:

"Life lease" means a lease or an agreement for a lease for years determinable on the expiration of a life or lives, or a grant or an agreement for a grant for a life or lives:

"Lessee" includes any person entitled to the equity of redemption in a lease subject to a mortgage; and, where the demised premises are comprised in or affected by a settlement, includes the tenant for life or the person having the powers of a tenant

A.D. 1890.

for life under such settlement or in respect of such settled land:

"Settlement," "settled land," and "tenant for life" have the same meanings respectively as in the Settled Land Acts, 1882 and 1884:

"Freeholder" means any person entitled to the freehold reversion expectant on the determination of a lease or superior or intermediate lease, or if such freehold reversion shall be settled land, or comprised in or affected by any settlement, then the tenant for life or person entitled to exercise the powers of a tenant for life in respect of such settled land or under such settlement:

"Holding" includes any messuage, dwelling-house, shop, cottage, chapel, or other building, and any buildings, yard, garden, pleasure ground, or other piece of land used in connexion therewith, in which the occupier lives or carries on his business or trade:

"Occupying tenant" means any person living in or carrying on business in or on the holding who either—

(*a.*) Hold as lease;

(*b.*) Holds a life lease;

(*c.*) Has occupied the holding continuously with or without a lease at the estimated market value for at least twenty years;

(*d.*) Has succeeded his father, mother, sister, or brother in the occupation with or without a lease at the estimated market value when the successive tenure has existed for at least *twenty years*;

(*e.*) In the case of business premises, has purchased the business when such business has been carried on in and on the holding for at least *twenty years*:

"Occupier" means a person residing in or carrying on business in or on a holding without regard to the length of his tenancy:

"Adjacent property" means the whole or part of the street, road, square, or other contiguous property owned by one freeholder:

"Sub-lessor" means any person who has an interest in a holding other than the freeholder, the occupier, or the occupying tenant:

"Local authority" means the mayor, aldermen, and council of any city or municipal borough, and in the metropolis and elsewhere the County Council;

"Living in a holding" means sleeping there at least three months in the year and being rated for the payment of rates and taxes:

"Court" means in England the county court for the district wherein any part of the demised premises is situated; in Scotland the court of the sheriff substitute within whose jurisdiction any part of the said demised premises is situated; and in Ireland the land commissioners or sub-commissioners appointed under the Land Law (Ireland) Act, 1881:

"Person" includes a body of persons corporate or unincorporate:

"Prescribed" means prescribed by rules made in pursuance of this Act:

"Reversions" include "remainders:"

"Rules" include "forms."

Though the masculine gender is used, this Act is to be read as giving women equal rights to men.

Occupying Tenants.

Occupying tenants may acquire reversions by purchase.

4.—(1.) From and after the commencement of this Act any occupying tenant shall have as incident to and inseparable from his interest in his holding the right to acquire by purchase the reversion expectant or consequent upon the determination of the existing lease, and the reversion or reversions of any sub-lessor or sub-lessors and also the freehold reversion in the holding in the manner hereinafter provided, but an occupying tenant shall not be entitled to exercise such right in respect of part only of the holding except where such part is the subject of a separate tenancy.

(2.) When the interest of an occupying tenant is subject to an incumbrance, then on the purchase by such occupying tenant of such holding the freehold of such holding so purchased shall rest in such incumbrancer in the same manner as if it had been actually conveyed to him by the instrument creating such incumbrance.

(3.) The right to acquire such reversions as aforesaid shall be incapable of being suspended, modified, released, or extinguished.

Power to acquire reversions to be exercised concurrently.

5. When the holding is comprised in an under-lease the powers hereby conferred on the occupying tenant to acquire the reversions expectant upon the terms granted by such under-lease and by any superior or intermediate lease shall be exercised concurrently with the purchase of the freehold reversion in the holding.

Occupying tenant may purchase reversions by agreement.

6. The occupying tenant may agree with the freeholder, the sub-lessor or sub-lessors of the holding, and any tenant for life or person having the powers of a tenant for life under any settlement

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comprising or affecting the holding, to acquire their interests by purchase; and in the case of any such tenant for life or person having the powers of a tenant for life it shall not be necessary, notwithstanding the provisions of the Settled Land Act, 1884, to obtain the leave of or sanction of the High Court of Justice to such agreement, purchase, or sale.

Notice by occupying tenant of intention to acquire freehold.

7.—(1.) When an occupying tenant is desirous of acquiring the freehold of his holding in pursuance of this Act, and cannot agree with the freeholder, sub-lessor, or sub-lessors, as in section six of this Act, he shall make application to the court, which may be in the Form No. 1 in the Schedule to this Act, or to the like effect. The occupying tenant shall, with his application, deposit at the court a sum equal to *five* per centum on what he considers the value of the holding as calculated according to section thirty of this Act, and such sums under sections thirty-three and thirty-four of this Act as may be required for valuation and legal charges.

(2.) At the next sitting of the court, the applicant shall appear personally or by agent, and satisfy the court as to his being an occupying tenant within the meaning of the Act. The court shall then, unless it sees any reason to the contrary, appoint a solicitor to carry out the purchase, and remunerate him according to section thirty-three of this Act.

(3.) Within seven days of his appointment, the solicitor shall serve upon the lessor or his agent a notice, herein-after called the prescribed notice, which may be in Form No. 2 in the Schedule of this Act, or to the like effect.

(4.) Within twenty-eight days after the service of the aforesaid prescribed notice, the lessor shall deliver to the solicitor particulars of his interest in the holding. These particulars may be given in the Form No. 3 in the Schedule of this Act annexed, or other similar form. Such particulars shall state whether he agrees that the amount named is a fair selling price, or whether he will require another valuation.

(5.) Upon receipt of these particulars the solicitor shall serve upon the sub-lessor or sub-lessors a notice in the Form No. 4 in the Schedule to this Act annexed, and each of such persons shall within twenty-eight days from the date of such service, deliver to the solicitor notice of his interest in the holding, which notice may be in Form No. 3 in the Schedule hereto or other similar form. Such particulars shall state whether each of such persons agrees that the amount named is a fair selling price, or whether he will require another valuation.

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(6.) Within three calendar months of the service of the prescribed notice, or after such extension of time as the court may from time to time authorise, the solicitor shall report to the court on a prescribed form—

(*a.*) Whether the applicant is an occupying tenant of the holding within the meaning of the Act;

(*b.*) Whether the freeholder and sub-lessor or sub-lessors agree to the price named by the occupying tenant;

(*c.*) Whether the title of the freeholder and sub-lessor or sub-lessors is good;

(*d.*) Whether the freeholder and the sub-lessor or sub-lessors agree among themselves as to the way the purchase money is to be divided among them.

Action in case of improper application.

8. In the event of the court, on the report of the solicitor, and if it think proper after taking evidence, deciding that the applicant is not an occupying tenant of the holding within the meaning of this Act, the application shall be dismissed, and the applicant shall forfeit to the court all or any portion of the deposit money, as the court shall decide. It shall be lawful for the court, out of the deposit money, to re-imburse the freeholder and any sub-lessor any loss which the action of the applicant may have involved to any one or all of them.

Action when application proved and all parties agree in price of holding.

9. In the event of the court deciding, on the report of the solicitor, and if it think proper after taking evidence, that the applicant is the occupying tenant within the meaning of this Act, and on the court being satisfied that the freeholder and sub-lessor or sub-lessors are agreed as to the price named, the court shall declare that the sum named is the value of the holding, and *half* the valuation fee deposited under section thirty-five shall be returned to the occupier, and *half* added to the value of the holding. The total sum obtained by adding the value and half the valuation fee shall be declared to be the purchase money of the holding.

Action if valuation not approved by freeholder or sub-lessors for obtaining second valuation.

10. In the event of the court being satisfied, on the report of the solicitor, and if it think proper after taking evidence, that either the freeholder or some one or more of the sub-lessors are not satisfied with the valuation submitted by the occupying tenant, the court shall, unless in the opinion of the court such objection is frivolous, when the court may override it, direct some professional valuer, approved by the said objecting party or parties, to make an independent valuation, and shall order the fee referred to in section thirty-five to be used for that purpose.

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Action if second valuation not approved for final decision of value.

11. In the event of the valuation obtained under clause ten of this Act not agreeing with the estimate submitted by the occupying tenant, and the parties concerned not being satisfied or not coming to an agreement as to the value, the court shall act as follows :—

(*a.*) When the highest value does not exceed *one thousand pounds*, the court shall itself decide the value.

(*b.*) When the highest value exceeds *one thousand pounds*, require the occupying tenant and the valuer appointed under section ten to name a second valuer, whose decision shall be final, or to have the value declared by a jury. In the event of the occupying tenant or valuer not agreeing as to the second valuer or on the appeal to a jury, the court shall decide, and either refer the decision to a jury or name a second valuer. The fees of this valuer or the expenses of the trial shall be paid by the occupying tenant if the valuation is raised, and by the freeholder or sub-lessor or sub-lessors who objected to the first valuation if the first valuation is maintained.

The court shall then declare the amount arrived at under sub-section (*a.*) or (*b.*), as the case may be, to be the purchase money of the holding.

Payment of purchase money into court and issue of certificate of purchase.

12. In the event of the court being satisfied that—

(*a.*) The title of the freeholder and of the sub-lessor or sub-lessors is good ; and

(*b.*) That the freeholder and the sub-lessor or sub-lessors are agreed as to the way the purchase money shall be divided amongst them,

the court shall direct the occupying tenant within two weeks from the date of the order fixing the amount of the purchase money or within such further time as the court may direct, to pay the purchase money (less the amount of deposit specified under section seven) into court in the prescribed manner, and upon such payment he shall be entitled to a certificate of purchase, Form No. 5 in Schedule, specifying in the prescribed form the proceedings and determination of the court, and the names and interests of the lessor and other persons to whom the prescribed notice was given, and the restrictive covenants (if any) to which the holding remains subject ; and such certificate shall operate as a conveyance from the day of its date to the applicant of all the interest in such premises that was vested in such lessor or other persons at the date of the application or of the ascertainment of the purchase money.

Distribution of purchase money.

13.—(1.) On receipt of the said sum the court shall give notice not exceeding *one month* to the freeholder, sub-lessor, or sub-lessors

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of the intention to distribute the said sum among the persons severally entitled thereto; and on the expiration of such notice, and on being satisfied by affidavits or otherwise of the said lessor and other persons that they still remain entitled to the same, the court shall order the purchase money to be paid over to them according to their respective rights.

(2.) The court shall make such order as in its discretion may be deemed just and expedient in regard to the payment over of such sum as aforesaid, or in regard to the retention by the court of such sum, or any part thereof, pending any further inquiries as to the right of any person to receive the same.

(3.) On the purchase by an occupying tenant of any lease or freehold reversion expectant or consequent on the determination of any term, and which is an estate or interest within the meaning of the Settled Estates Act, 1877, as being subject to a settlement or being settled estate within the meaning of the said Act, or is settled land, or is subject to or comprised in any settlement, the purchase money for such lease or freehold reversion shall be paid to the persons who under the said Acts are thereby authorised to receive and give receipts for capital moneys arising from a sale under the said Acts or either of them, and shall be dealt with and be subject to the same provisions in all respects as if the purchase under this Act were a sale effected by a tenant for life or person having the powers of a tenant for life under the Settled Land Act, 1882.

Provided always, that it shall not be necessary as against the occupying tenant to obtain the consent of any court to the carrying out of any sale to a lessee of any such lease or reversionary interest as aforesaid under the provisions of this Act.

After payment by the occupying tenant of the purchase money or issue of the certificate of purchase by rentcharge in lieu of purchase money, as hereafter provided, the lessee shall not be made a party to any application to the court under the Settled Estates Act, 1877, the Settled Land Act, 1882, and the Settled Land Act, 1884, or any of them, and shall not be liable to any costs, charges, or expenses in or about any application thereunder.

Action when title cannot be readily proved or dispute as to division of purchase money.

14. Where it appears to the court that the title of the freeholder, sub-lessor, or sub-lessors claiming or reputed to be beneficially interested in the holding, cannot be expeditiously deduced or proved, or when the freeholder, sub-lessor or sub-lessors interested in the holding cannot agree as to the division of the purchase money, the court may adjourn the case from time to time for any period not exceeding *twelve months* from the date of

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the declaration of the purchase money with a view of these difficulties being overcome.

Purchase by rentcharge when title cannot be proved or dispute as to division of purchase money.

15. In the event of one or other or both the difficulties referred to in clause fourteen not being overcome, and they appearing to the court to be reasonable, the court shall issue to the occupying tenant a certificate of purchase by rentcharge. Such certificate shall specify in the prescribed Form No. 6 in Schedule, the proceedings and determination of the court, and the names and interests of the freeholder, the sub-lessor or sub-lessors, and the restrictive covenants (if any) to which the holding remains subject, the value of the holding as decided by the court, the rentcharges hereafter specified, and such certificate shall operate as a conveyance from the day of its date to the occupying tenant of all the interest in the holding that was vested in the freeholder, the sub-lessor, or sub-lessors, but subject to the payment of the following rentcharge, namely, during the continuance of any lease or agreement either granted to the occupying tenant or to any sub-lessor the rent specified in such lease or agreement unless such rent be less than four pounds per centum on the purchase money, in which case the rent shall be *four pounds* per centum on the purchase money. At the expiration of all the leases and agreements on the holding the perpetual rentcharge payable to the freeholder shall be *four pounds* per centum on the purchase money. In the event of the purchaser by rentcharge not being able to ascertain who is beneficially interested in the existing lease or agreement, it shall be a sufficient discharge for him to pay his rentcharge into court.

Deposit to be returned on rentcharge purchase.

16. On the issue of a certificate of purchase by rentcharge the deposit paid into court under section seven, less any costs that may be due from it by direction of the court, shall be returned to the applicant.

Certificate of purchase or purchase by rentcharge equal to fee simple.

17. The possession of a certificate of purchase or a certificate of purchase by rentcharge shall confer on the owner all the rights and privileges of an owner in fee simple, subject only to the covenants therein contained.

Freeholders Selling to Local Authority.

Freeholder may require local authority to purchase adjacent property or rentcharge.

18. Any freeholder, part of whose property has been taken under this Act either by certificate of purchase (section twelve), or by certificate of purchase by rent clause (section fifteen), who is desirous of selling his reversion of the adjacent property, may make application to the local authority, which application may be on Form No. 7 in the Schedule of this Act or to a like effect, and any freeholder having

had his property or part of his property taken by certificate of purchase by rentcharge and who wishes to sell the reversion of that rentcharge, may apply to the local authority, which application may be on Form No. 7 in the Schedule of this Act or to a like effect. With this application or these applications he shall deposit an abstract of title and a statement of what he estimates the value of the property he wishes to sell.

Local authority to take action to verify freeholder's application.

19. The local authority may require the applicant or his agent to appear personally before them and satisfy them that he is a freeholder within the meaning of this Act, and the local authority shall ascertain from the court whether any and what portions of the applicant's property have been taken under this Act and the price they were valued at.

Local authority's action concerning title.

20. Within three months of the receipt of the application, the local authority shall require their solicitor to report to them whether the applicant has a good title to the property.

Local authority's action in defective title.

21. In the event of the title being defective and the applicant being unable or unwilling to make it good, the local authority may decline the application and shall require the applicant to reimburse any costs the local authority may have incurred.

Action if title satisfactory and price approved by local authority's valuer.

22. In the event of the title being satisfactory to the local authority, the local authority shall direct a professional valuer to report whether the price named by the applicant is the fair value of the property, and on his report agreeing that the sum named is a fair value it shall be declared the purchase money, subject nevertheless to the condition that the local authority, if the property exceed *five thousand pounds* in value, may within two months declare that they are not satisfied and at their own expense require the value to be settled by a jury.

Action when value cannot be agreed to.

23. In the event of the professional valuation not agreeing with the freeholder's estimate of the value, and it being impossible amicably to arrange the value, the question of value shall be decided by a jury and the costs shall be paid as directed by the judge.

Payment to freeholder.

24. The local authority shall within three months of the decision of the value of property pay the freeholder the purchase money, when the freehold shall become vested in the local authority.

All freeholds purchased by local authority to be offered to occupiers.

25. Within one month of the value being declared the local authority shall offer the property in portions to each occupier; that is the portion which each occupier occupies shall be offered to him at a price fairly apportioned to each holding so that the price of the

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portions shall cover the entire cost of the local authority for the purchase money and all reasonable expenses.

Mode of procedure for purchase by occupiers from local authority.

26. Those occupiers who select to purchase from the local authority shall be dealt with in the following manner :—

(*a.*) Each occupier who holds directly from the freeholder shall elect, within such time as the local authority shall decide, whether he will pay the purchase money and receive a certificate of purchase as described in clause twelve, or whether he will pay a perpetual rentcharge of *four pounds* per centum per annum on the value and receive a certificate of purchase by rentcharge as described in clause fifteen.

(*b.*) Each occupier who holds under a sub-lessor or sub-lessors will receive a certificate of purchase by rentcharge, by which he will continue to pay a rentcharge similar to that paid by an occupying tenant in section fifteen of this Act, as long as any sub-lessor remains interested in the holding, and at the expiration of such term or terms four per centum per annum on the value to the local authority.

Purchase by occupiers from local authority may be by instalments.

27. The local authority shall allow each occupier who purchases his holding by certificate of purchase, or any occupier whose terms of holding under a sub-lessor have expired as explained in section twenty-six (*b.*) to pay the purchase money by instalments spread over not more than *fifteen years* with interest on the unpaid purchase money of *four per centum* per annum.

Occupiers who do not purchase from local authority.

28. Each occupier who does not select to purchase his holding from the local authority will continue to pay his rent under his existing agreement, and at the expiration of that agreement, if there be any sub-lessor or sub-lessors interested in the holding, and as calculated in section fifteen of this Act, at the end of all terms in which sub-lessors are interested in the holding, then at such rents as the local authority may decide.

Local authority may borrow for this Act.

29. For the purposes of this Act the local authority may from time to time borrow money on such terms as may be approved by the Local Government Board: Provided always, that in all cases a sinking fund be provided so as to repay the capital and interest at the end of not more than *fifty years.*

Mode of Assessing Values.

Considerations for assessment of purchase money.

30. In determining the amount of purchase money to be paid in pursuance of any application under this Act, regard shall be had to the following directions :—

(*a.*) The purchase money shall be the sum which is the value of the present interests with the reversions in question expectant upon the determination of the lease;

(*b.*) The purchase money on the application from an occupying tenant shall include a sum equal to *five* per centum on the value of the holding to cover the loss of compulsory sale;

(*c.*) Allowance (*b.*) shall not be made to the freeholder applying under section eighteen.

(*d.*) The value of the occupying tenant's goodwill shall not be considered in fixing the value.

Restrictive Covenants.

Restrictive covenants, which are and which are not to be observed.

31.—(1.) On a purchase by an occupying tenant of a holding under this Act either by certificate of purchase or by certificate of purchase by rentcharge—

(*a.*) All covenants, agreements, and provisions contained in any lease or in any superior or intermediate lease binding the lessee under such lease to do or omit to do any of the following acts or any covenants, provisions, or agreements to the like purport or effect shall be void as from the completion of such purchase, namely,—

(i.) Not to assign, demise, or part with the possession of the demised premises without the consent of the lessor:

(ii.) To furnish to the lessor or his solicitors copies of all deeds of assignment or under-lease:

(iii.) To pay any fee on the registration of any assignment or under-lease:

(iv.) Not to make any structural alteration or addition to the property without the consent, whether in writing or not, of the lessor:

(*b.*) But all covenants, agreements, and provisions binding the lessee to do or omit to do any of the following acts or any covenants, agreements, or provisions to the like purport and effect shall, during the continuance of the term created by the lease in which such covenants are contained, remain in full force and enforceable by action or injunction against the lessee or his successors in title by the person who but for the purchase by the lessee under this Act would for the time being be entitled to enforce such covenants and by the local authority—

(i.) To make or construct any buildings or roads or to contribute towards the cost of construction or maintenance of

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roads, party walls, sewers, drains, wells, and any other conveniences used in common with the adjoining owners, occupiers, or lessees:

(ii.) To repair and keep the premises in repair:

(iii.) To insure from damage by fire, whether in any particular office or offices or not, and to reinstate the premises in case of damage by fire:

(iv.) To pay rates, taxes, land tax, tithe or other outgoings:

(v.) To exercise or not to exercise on the demised premises any particular trade or business, or to deal with any particular person or company, or to use the property only in a particular manner, or against committing or permitting nuisances:

(vi.) To do any act which may or will be beneficial to the demised premises or to any other property of the lessor or his superior landlord or tenant, or to abstain from doing any act which may or will be prejudicial to the demised premises:

(vii.) Any other restrictive covenants, agreements, or provisions.

(2.) Provided nevertheless, that where in pursuance of this Act the lessee has obtained a release from the observance of any covenants, the local authority may enforce against him any bye-laws or regulations made under or by virtue of powers granted to such local authority by Act of Parliament; and the local authority may also in its discretion give any further release of covenants other than the releases provided under this Act, and may also restrain the lessee from so dealing with the demised premises, either by doing or omitting to do any act in connexion therewith, as will, in the opinion of such local authority, prejudicially affect adjoining owners.

Local authority to enforce covenants.

32. In the events of the covenants referred to in section thirty-one (*b.*) not being performed by a purchaser either by certificate of purchase or certificate of purchase by rentcharge, it shall be lawful for any occupier on the adjacent property to give notice to the local authority, and the local authority shall, subject if it thinks fit to an appeal to the court, require such purchaser to perform such covenant or covenants, and to pay all costs involved in the enforcing of the same.

Scale and Regulation of Fees.

Scale of costs to be

33.—(1.) The costs of the occupying tenant in connexion with the application to the court and any other proceedings under this

Act up to the payment of the purchase money or the issue of the certificate of purchase by rentcharge, shall be borne and paid by the occupying tenant, and the court shall make such order as may be required for the payment of the said costs out of the deposit in court, and for the repayment of the balance of such deposit (if any), but if any costs remain unpaid they shall be an equitable charge upon the occupying tenant's interest in the holding, and the balance so remaining shall be paid in such manner as the court may direct.

Costs paid by occupying tenant.

(2.) In taxing costs under this Act only one set of costs shall be allowed as payable by the occupying tenant, except in cases where the court shall otherwise decide.

(3.) In respect of every purchase taking place under this Act there shall be paid by the occupying tenant for the solicitors costs for deducing the title to such interest and for investigating the title of the occupying tenant and for completing the conveyance, the following fees, exclusive of stamps, fees paid to public officers on registration, and costs of extracts from any register, record, or roll, or other disbursement reasonably and properly paid, that is to say,—

Where the purchase money does not exceed *1,000l.* -	*30s.* per 100*l.* of purchase money.
For the second and third *1,000l.*	*20s.* per 100*l.*
For the fourth and each subsequent *1,000l.* and up to *10,000l.* - - -	*10s.* per 100*l.*
For the eleventh and all subsequent *1,000l.* - - -	*5s.* per 100*l.*

Fractions of 100*l.* being reckoned as 100*l.*

The division of these fees between the solicitor appointed by the court and the solicitor representing the freeholder and sub-lessor or sub-lessors shall be decided by the court.

Scale of valuation fee.

34.—(1.) The cost of the valuation fee in connexion with the application by an occupying tenant to the court under this Act shall be borne by the occupying tenant, and paid into court at the time of the application (section seven).

(2.) In respect of the valuation under this Act, the following fees shall be paid, that is to say,—

When the valuation does not exceed *1,000l.* -	*20s.* per 100*l.*
For the second and third *1,000l.* - -	*10s.* per 100*l.*
For the fourth and each subsequent *1,000l.* up to *10,000l.* - - - -	*5s.* per 100*l.*
For the eleventh and all subsequent *1,000l.* -	*2s. 6d.* per 100*l.*

Fractions of 100*l.* being reckoned as 100*l.*

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Scale of freeholder's costs of sale to local authority to be paid by local authority.

35.—(1.) On the sale by a freeholder under this Act up to the payment of the purchase money, the costs shall be borne and paid by the local authority, and the local authority shall make such order as may be required for the payment of the said costs, and if any costs remain unpaid they shall be an equitable charge upon the local authority.

(2.) In taxing costs under this Act only one set of costs shall be allowed as payable by the local authority except in cases where the local authority may otherwise decide.

(3.) In respect of the sale under this Act there shall be paid by the local authority for the solicitors costs for deducing the title, for investigating the title, and for completing the conveyance to the local authority, the following fees, exclusive of stamps, fees paid to public officers on registration, and costs of extracts from any register, record, or roll, or other disbursements reasonably and properly paid, that is to say,—

When the purchase money does not exceed *100l.* -	*30s.* per 100*l.* of the purchase money.
For the second and third *1,000l.* - - -	*20s.* per 100*l.*
For the fourth and each subsequent *1,000l.* up to *10,000l.* - - -	*10s.* per 100*l.*
For the eleventh and all subsequent *1,000l.* -	*5s.* per 100*l.*

Fractions of 100*l.* being reckoned as 100*l.*

These fees shall be divided equally between the solicitor appointed by the local authority and the solicitor of the freeholder.

Valuation fee of sale by freeholder to be paid by local authority.

36. The cost of the valuation in connexion with a sale under this Act by a freeholder shall be borne by the local authority, and shall be on the same scale as those given in clause thirty-four.

Costs in case of default of occupying tenant or freeholder or of unfounded claim.

37. Where the occupying tenant or freeholder has wilfully or negligently delayed or made default in proceeding with his application, or where any party to the application under this Act has in the opinion of the court made an unfounded claim or contention, the court may, in its discretion, make an order requiring such person to pay the whole or any portion of the costs which may have been incurred by reason of such default or unfounded claim.

Persons not qualified to Benefit by this Act.

Persons not qualified to benefit by this Act.

38. Nothing in this Act shall entitle the following persons to claim the benefit of this Act as occupying tenants:—

(*a.*) Clergymen, ministers of religion, public servants, managers of businesses, and other persons who occupy holdings on

account of their profession, trade, or calling, whether they pay a commercial rental or not;

(*b.*) Persons who reside in holdings belonging to their employers whether they pay a commercial rental or not;

(*c.*) Persons who reside in portions of buildings, flats, or other divided holdings;

(*d.*) Persons who occupy buildings as pensioners or from philanthropic considerations.

Subsequent sales, &c. may be effected at court at fixed fee.

39. In all subsequent dealings with a holding for which a certificate of purchase or a certificate of purchase by rentcharge has been obtained, the production of such certificate by the person named in it or by his executor or assigns shall, on proof of identity to the satisfaction of the court, be an absolute title of the holders possession of the fee simple without the production of any further documents. A sale or transfer of such fee simple may be effected at the court by an endorsement on such certificate or by the issue of a new certificate, as the court may decide, after the due stamps have been affixed. The fee for such sale or transfer shall be *three guineas* and *five shillings* per cent., and shall be paid to the solicitor appointed by the court to prepare the documents and to arrange for carrying out the transaction.

Miscellaneous Enactments.

Provision for cases of disability.

40. In the event of the disability, by infancy, coverture, insanity, or otherwise, of any person who but for such disability would have been entitled to the benefit of this Act or to be treated as a lessor or person beneficially interested under this Act, the powers and duties of such person shall devolve upon his trustee, committee, guardian, or person who is entitled to receive the rent or profits of his estate on his behalf.

Trustees may purchase under certain conditions.

41. Nothing in this Act contained shall authorise any trustee or legal representative to make an application under this Act, unless he be authorised thereto by the consent of all necessary persons or by the nature of his trust, or be permitted by an order of a judge of the High Court of Justice, who shall have power on petition to grant such permission if he shall see fit to do so; and with such sanction any moneys, stocks, funds, or securities subject to the trust may be applied in the purchase of the reversions of any demised premises in pursuance of this Act, and the premises so acquired shall be conveyed to the trustees as the court shall in its discretion direct.

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Provision in case of irregularities.

42. Where any of the parties make default in complying with any of the obligations imposed on them by this Act, or where any error, omission, or irregularity takes place in any proceedings under this Act owing to inadvertence, it shall be lawful for the court to grant any relief that it may deem just, either by extension of time or rectification of any previous order, or otherwise howsoever, upon such terms and conditions as may be deemed expedient.

Limitation in certain cases of right to apply to court.

43. If the application of any occupying tenant be dismissed, or he, in the opinion of the court, unduly delay to complete the purchase or his right to the benefit of this Act be determined against him, or he decide and be permitted no further to proceed for any reason he shall pay all costs, and he and all persons claiming by, through, or under him by virtue of any assignment, sub-demise, or other transfer of interest subsequent to the date of his said application, shall be barred from taking further proceedings under this Act for the space of *five years* without special leave from the court. And in no case shall he or they take any further proceedings without first paying all such costs as may be ordered by the court in respect of the said application.

Appeals.

44.—(1.) All orders of the court shall be subject to appeal on matters of law in England in the same manner as appeals are now made from the decisions of county court judges on matters of law; in Scotland in the same manner as appeals are now made from the decisions of sheriffs; and in Ireland in the same manner as appeals are now made from the decisions of the Land Commissioners. All orders relating to costs, and all decisions of the court on matters of fact or in the exercise of its discretion, shall in like manner be subject to appeal by leave, either of the judge or of the court before which the appeal is to be heard.

(2.) No appeal shall be beyond the divisional court in England, the Court of Session in Scotland, and the Queen's Bench, Common Pleas, or Exchequer in Ireland, without leave from the said courts or from the court before which such appeal is to be heard, which shall in each case be the court to which ordinarily appeals are made from the before-mentioned courts respectively.

(3.) In case of appeals all costs thereof shall be in the discretion of the court to which appeal is made.

Rules.

45. Rules for the purposes of this Act may be made and altered from time to time by the like persons and in the like manner in which rules may be respectively made under and for the purposes of the County Courts Acts in England, of the Sheriffs

Courts Acts in Scotland, and of the Civil Bill Courts Acts in Ireland.

Forms in Schedule.

46. Any deeds, notices, or other documents in the form contained in the schedule to this Act annexed, or to the like purport and effect as may be prescribed, shall as regards form and expression in relation to the provisions of this Act be deemed sufficient for all purposes.

Notices may be printed or written.

47. Notices, orders, and other documents under this Act may be in writing or print, or partly in writing and partly in print, and when issued by the court shall be deemed sufficiently authenticated if they bear the official seal of the court.

Service of notices.

48. Any notice, order, or document required or authorised by this Act to be served on any person may be served—

(*a.*) By delivering the same to such person; or

(*b.*) By leaving the same at the usual or last known place of abode of such person; or

(*c.*) By forwarding the same by post in a prepaid registered letter addressed to such person at his usual or last known place of abode.

If the notice is served by post it shall be deemed to have been served at the time when the letter containing the notice would be delivered in the ordinary course of post, and in proving such service it shall be sufficient to prove that the letter containing the notice was properly addressed and put into the post.

A.D. 1890.

SCHEDULE.

FORM No. 1.

NOTICE of DESIRE by an OCCUPYING TENANT to EXERCISE the POWERS of this ACT.

In pursuance of the provisions of the Occupying Tenants Enfranchisement Act, 1891, I
of
occupying tenant of the holding herein-after mentioned, do hereby give notice to the county court at , that I intend to exercise the powers of the said Act, and to obtain a certificate of purchase or a certificate of purchase at rentcharge of the holding, particulars of which, with a plan, are given below. And I inform the court that I am willing to submit myself to the provisions of the said Act, and to purchase, pursuant to the said Act, the said property.

I hold the holding from
of
and pay the annual rental of
and I append the lease, agreement, or other instrument under which I am the occupying tenant.

I value the holding, if sold by a willing seller to a willing purchaser, at £ to which I add five per centum for compulsory sale; total £ . I append a valuation by
of the firm of

[*Note.*—This may be sent or not, at the applicant's option.]

Accompanying this application, I have this day paid to the court the sum of £ being five per cent. on the above sum, together with £ for the solicitors charges and £
for the valuation fee in accordance with sections 33 and 34 of the said Act.

Dated this day of 18 .

Signature
Address
State how an occupying tenant

The particulars of the holding above referred to.

Here describe the holding according to the usual postal address. Give a plan, either drawn on the Form or appended thereto, and signed by the applicant, and add the words, "and which description is correct, and is intended to describe the property comprised in the above application in respect to which this notice is given."

To the Judge of
The County Court
at

A.D. 1890.

Form No. 2.

The Prescribed Notice.

To Mr.

In pursuance of the provisions of the Occupying Tenants Enfranchisement Act, 1891, I, , of , the solicitor appointed by the County Court of , hereby give you notice that Mr. of occupying tenant of intends to exercise the powers of the said Act and to purchase the freehold of the said holding, and that he is willing to submit himself to the provisions of the said Act, and to purchase, pursuant to the said Act, the said property, and I require from you in writing, addressed to me at , the following particulars:—(1.) In the event of your holding the premises under a lease or leases—(*a.*) The date of such lease or leases. (*a.* 1.) The term or terms for which the premises are held. (*b.*) The names and addresses of the lessors so far as you can supply the same, and of the agents of the lessors if known to you. (*c.*) The names and addresses of the agents or persons to whom you made the last payment of rent in respect of the property comprised in such lease or leases. (*d.*) The amount of rent reserved by the lease or leases for the remainder of the term of the lease or leases. (*e.*) And if the same relates to any other property than that comprised in the lease, in respect of which I give this notice, the short particulars and description of such other property. Mr. has valued the holding at £ together with five per cent. for compulsory sale, total £ , and I require you to state in writing whether you agree to the above being a fair sum as purchase money for the freehold, with all the interests and property comprised in the notice in writing now given to you.

(2.) In the event of your being entitled to the freehold reversion expectant or consequent upon the determination of the lease now held by Mr. as lessee, I require you to state the particulars of your interest in the said property, and whether you agree that the above-named amount is a fair sum for the freehold, or whether you will require a fresh valuation.

Dated this day of 18 .

(Signature)

Here to follow a copy of the description sent in by the occupying tenant with Form No. 1.

Form No. 3.

Particulars of Lessor's or Freeholder's Interest and Price for Sale.

I, the undersigned of , or the undersigned duly authorised agent for this purpose of of in reply to your notice that the occupying tenant desires to exercise the powers of the Occupying Tenants Enfranchisement Act, 1891,

A.D. 1890.

dated day of 18 , hereby inform you that the premises mentioned in your said notice, and in respect of which he is now paying the rent of £ , were granted or demised by indenture of lease (or leases) bearing date (respectively) the day of (and the day of) and made between for a term of years from the day of , and that the same are held by me under an indenture of lease (or leases) bearing date (respectively) the day of and made between and for a term of years from the day of at a rent or rents of £ per annum, payable (free from all deductions whatsoever except income tax) (or that I hold the same in fee simple), and I agree that the sum named of £ , together with five per cent. for compulsory sale, total £ , is a fair amount *or* I do not consider the sum named sufficient and demand a fresh valuation, estimating the holding as worth £ , together with five per cent. for compulsory sale.

If held by the lessor under a lease state the following particulars.

State if any charges or taxes are payable out of the rent by the lessor.

Dated this day of 18 .

Yours, & .

FORM No. 4.

PARTICULARS of SUB-LESSOR'S INTEREST.

Having been informed by of that the under-mentioned premises are comprised in a lease (or leases) dated the , and made between for a term of years and of another year from the day of at the yearly rent or rents of £ payable [quarterly] (free of all rates and taxes except property tax), and that you are entitled as lessor to the rents and profits of such premises, I, the solicitor appointed by the county court at , hereby inform you that on the day of in pursuance of the powers of the Occupying Tenants Enfranchisement Act, 1891, I sent a notice in writing (a copy of which purports to be enclosed herewith) to the lessor under whom the present occupying tenant holds the under-mentioned premises, and offered on his behalf to submit to the provisions of the above-mentioned Act, and pursuant to the provisions thereof, I require you within one calendar month from the date hereof to deliver to me in writing at a notice in writing stating the following particlars.

Recite the facts from notice given in Form No. 2.

1. } Copy remainder of notice from Form No. 2.
2. }

FORM No. 5.

FORM of CONVEYANCE.

CERTIFICATE of PURCHASE of FEE SIMPLE.

Pursuant to the Occupying Tenants Enfranchisement Act, 1891, [*A.B.*] of having paid the sum of £ to the freeholder, sub-lessor, or sub-lessors to be divided among them as they have agreed by the county court at , I, [*C.D.*] the county court judge at hereby convey to [*A.B.*] all [insert usual description of the holding and plan of same] to hold the same unto and to the use of the said [*A.B.*] in fee simple according to the true intent and meaning of the said Act.

In witness whereof I have hereunto set my hand and seal of the county court at this day of 18 .

Witness.

[*C.D.*] L.S.
[*A.B.*]

Schedule of ascertained covenants and agreements to which the holding is subject.

Note.—This covenant must have the usual conveyance stamp attached before being executed.

FORM No. 6.

CERTIFICATE of PURCHASE by RENTCHARGE.

Pursuant to the Occupying Tenants Enfranchisement Act, 1891, in consideration of the herein-after mentioned rentcharges to be paid as under by [*A. B.*] of , I [*C. D.*], the county court judge at do convey to the said [*A. B.*] all [insert usual description of holding and plan of same] to hold the same and to the use of the said [*A. B.*] in fee simple, according to the true intent and meaning of the said Act. The said [*A. B.*] yielding and paying to the persons herein-after named the clear yearly rents set forth in the schedule hereto attached by half-yearly payments henceforth on the 24th June and the 25th December in each and every year clear of all taxes and deductions (except income or property tax). The first full payment to be made on the day of 18 next and a proportionate part amounting to £ on the day of 18 .

In witness whereof I have hereto set my hand and seal and the seal of the county court at this day of 18 .

[*C. D.*] L.S.
[*A. B.*]

A.D. 1890.

Schedule of ascertained covenants and agreements to which the holding is subject.

Schedule of rentcharges as follows:

The rentcharge of £ per annum is payable up to and including the day of 18 .

The rentcharge of £ per annum is payable from the day of 18 to the day of 18 .

The rentcharge of £ per annum is payable from the day of to the day of 18 .

From the day of 18 , and for ever the rentcharge of , being equal to four pounds per centum on the purchase money of £ as ascertained by the owner to be the value of the holding.

N.B.—The above certificate should be executed in duplicate.

This certificate must have the usual conveyancing stamp attached before being executed.

FORM No. 7.

NOTICE of a DESIRE by a FREEHOLDER to SELL to the LOCAL AUTHORITY adjacent PROPERTY to that PURCHASED by an OCCUPYING TENANT.

In pursuance of the provisions of the Occupying Tenants Enfranchisement Act, 1891, I, of lately freeholder of holding at recently purchased from me under the above Act, hereby give notice to the local authority of the that I wish to exercise the powers of the said Act, and to sell to the local authority the adjacent property of which I am the freeholder [{or / and} the reversion of the rentcharge or rentcharges recently purchased by] of which I append a schedule. I inform the local authority that I am willing to submit myself to the provisions of the said Act and to sell pursuant to the said Act. I append an abstract of title, and the solicitor who will act for me is . I value the property at £ , and I append a schedule of items [and a valuation by Messrs. of]. (*Note.*—This may be sent or not at the applicant's option.)

Signed

Address

day of 18 .

SCHEDULE A.

Full details and plans of property.

SCHEDULE B.

Full details and value as estimated by freeholder.

SCHEDULE C.

Value of portions purchased by certificate of purchase at rentcharge as fixed by the court.

Occupying Tenants Enfranchisement.

A

B I L L

To enable Occupying Tenants of Houses and Places of Business to purchase the Fee Simple of their Holdings.

(*Prepared and brought in by Mr. Bartley, Sir John Colomb, Mr. Seager Hunt, and Major-General Goldsworthy.*)

Ordered, by The House of Commons, *to be Printed*, 26 *November* 1890.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE and SPOTTISWOODE, East Harding Street, Fleet Street, E.C., and 32, Abingdon Street, Westminster, S.W.; or
ADAM and CHARLES BLACK, 6, North Bridge, Edinburgh; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price 3d.*]

[Bill 58.]

A

B I L L

INTITULED

An Act to confirm an Order made by the Secretary for Scotland under the Sea Fisheries Act, 1868, relating to the Oyster and Mussel Fishery (Loch Sween). A.D. 1891.

WHEREAS an Order made by the Secretary for Scotland under the Sea Fisheries Act, 1868, is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 31 & 32 Vict. c. 45.

And whereas it is expedient that the Order made by the Secretary for Scotland under the said Act, and set out in the schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Order set out in the schedule to this Act shall be and the same is hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the passing of this Act, have full validity and force. Confirmation of Order in schedule.

2. This Act may be cited as the Oyster and Mussel Fishery (Loch Sween) Order Confirmation Act, 1891. Short title.

[Bill 285.]

A.D. 1891.

Loch Sween.

SCHEDULE.

LOCH SWEEN.

ORDER for the ESTABLISHMENT and MAINTENANCE by Colonel JOHN WINGFIELD MALCOLM, Younger, of Poltalloch, M.P., and Major DUNCAN CAMPBELL, of Inverneill and Ross, of a SEVERAL OYSTER and MUSSEL FISHERY in LOCH SWEEN, in the county of ARGYLL.

Undertakers.

1. Colonel John Wingfield Malcolm, younger, of Poltalloch, M.P., and Major Duncan Campbell, of Inverneill and Ross, and their heirs and assigns, shall be the Undertakers of the Fishery mentioned in this Order.

Limits of fishery and plans.

2. The following are the Undertakers fishery grounds under this Order (as shown on plans deposited at the office of the Fishery Board for Scotland), namely: All and whole the entire part or portion of the bed of the sea in Loch Sween, and Linne Vurich, and estuaries, bays, lochs, creeks, and inlets thereof, lying on the north and north-east of an imaginary line crossing from Castle Sween on the east of Loch Sween to the rock known as Clach Mor of Danna, on the west of said loch, situate within the parish of North Knapdale, in the county of Argyll, coloured pink on the said plans, and containing an area of 4,162 imperial acres or thereabouts.

Right to fishery.

3. This Order confers on the said Colonel John Wingfield Malcolm and Major Duncan Campbell, and their respective heirs as aforesaid, a several right of oyster and mussel fishery within the limits above mentioned, with the exclusive right of depositing, propagating, dredging, and fishing for, and taking oysters and mussels, and in the exercise of that right, to make and maintain oyster and mussel beds, or either of them, and at any season to collect oysters and mussels, and remove the same from place to place, and deposit the same as and where they think fit, and do all other things which they think proper for obtaining, storing, and disposing of the produce of their fishery: Provided always, that the Undertakers shall not sell, expose for sale, or buy for sale any oysters during the close time appointed by the Fisheries (Oysters, Crabs, and Lobsters) Act, 1877 [40 & 41 Vict. c. 42], or any Act or Acts amending or altering the same. The Undertakers shall supply mussels, when fit for bait, to fishermen requiring them, at a fair price (per bushel or hundredweight), to be fixed in case of dispute by the Fishery Board for Scotland.

Marking of limits.

4. The limits of the said fishery shall be marked out as follows:—That is to say, by booms or poles painted white placed at or immediately above low-water mark at the following places, namely:—(1), Clach-Mor of Danna; (2), the north-east promontory of Danna Island; (3), a point of land opposite the lands of Lower Fernoch where the public road approaches the sea 300 yards distant south-west of the thirteenth milestone from Lochgilphead;

(4), the north-eastmost point of Linne Vurich; (5), the south-west promontory of Taynish Farm; (6), the south-west promontory of Taynish Island; (7), opposite the north-westmost house of Tayvallich; (8), Kintallin, directly west of the south-west point of Rudha-na-Stuire; (9), the north-westmost portion of the bay immediately north-east of Galachollie old farmhouses; (10), Rudha-na-Stuire, the south-west point of Oib-Mohr; (11), west centre of Squer-bhuibhe; (12), west side of the south point of Rudha-nan-Sgarbh; (13), the north-east point of the estuary Sailen-Mohr; (14), Rhudha-na-marraidh, south-west of Oib-Graham; (15), Rhudha Cladh-eoin, the south-east point of Oib-Graham; (16), the north-east point of an island adjacent to the manse and glebe of Kilmichael-Inverlussa; (17), the promontory of Ashfield between Ashfield House and Eilean-Lon; (18), the south promontory of Eilean-Cala, west of Eilean-Lon; (19), Rudh-an-tacir; and (20), Castle Sween, or in such other way as the Fishery Board may from time to time approve.

Notice to be given.

5. In the event of the marks by the last foregoing Article prescribed being obliterated or destroyed by storm or otherwise, they shall be replaced by the Undertakers, and notice of the said limits shall be given to fishermen, dredgermen, and other persons, by advertising the same at least twice in a newspaper published in the county, and circulated in the district, and by notices posted up in Tayvallich, and ten other conspicuous places in the vicinity of the fishery.

Works not to be commenced without assent of Fishery Board and Board of Trade.

6. No buildings, erections, embankments, or other works, other than the marks mentioned in Article 4 of this Order, shall at any time be commenced or executed, within the limits above described, without the previous sanction and approval in writing of the Fishery Board for Scotland and of the Board of Trade.

Undertakers to give accounts of capital, receipts, and expenditure, and of oysters and mussels sold.

7. The Undertakers shall render to the Fishery Board for Scotland such accounts of their capital, expenditure, and income, and of all oysters and mussels sold by them, in such form and at such times as the Board may require, and shall allow the Board, or any person appointed by the Board, to inspect the fishery, and all books and documents in the possession of the Undertakers relating thereto, and shall give to such Board or person all such information relating thereto as they or he may require.

Time of operation.

8. This Order shall continue in operation for sixty years from its confirmation by Act of Parliament.

Saving of rights, under Crown Lands Act, 1866, and obedience to Acts of Parliament, and regulations of Fishery Board.

9. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, and it is issued and accepted by the Undertakers subject to the provisions of the Sea Fisheries Acts, 1868 and 1885, and the Fishery Acts, 1877 and 1881, and the regulations issued in pursuance of the said Acts, or which may from time to time be altered and varied by the Fishery Board for Scotland.

Short title.

10. This Order may be cited as the Oyster and Mussel Fishery (Loch Sween) Order, 1891.

Oyster and Mussel Fishery (Loch Sween) Order Confirmation.

[H.L.]

A

B I L L

INTITULED

An Act to confirm an Order made by the Secretary for Scotland under the Sea Fisheries Act, 1868, relating to the Oyster and Mussel Fishery (Loch Sween).

(*Brought from the Lords, 17th April* 1891.)

Ordered, by The House of Commons, *to be Printed,* 17 *April* 1891.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
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and 32, Abingdon Street, Westminster, S.W.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh,
and 88 & 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 285.]

A

B I L L

TO

Extend the Parks Regulation Act, 1872, to Ireland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Application of 35 & 36 Vict. c. 15. to Ireland.

1. The Parks Regulation Act, 1872, shall extend to all parks, gardens, and possessions for the time being under the management of the Commissioners of Public Works in Ireland, subject to the following modifications :—

(1.) The Commissioners of Public Works in Ireland shall be substituted for the Commissioners of Her Majesty's Works and Public Buildings.

(2.) The date of the passing of this Act shall be substituted for the date of the passing of the Parks Regulation Act, 1872, where reference is made to such last-mentioned date in that Act.

(3.) References to police constables of the police force of the district in which a park is situated shall apply to all members of the Royal Irish Constabulary and of the Dublin Metropolitan Police.

(4.) The fourteenth and fifteenth sections of the said Act shall not extend to Ireland.

(5.) The expression "court of summary jurisdiction" shall mean with reference to the Dublin Metropolitan police district, a divisional justice of that district, and elsewhere in Ireland a petty sessions court.

Short title.

2. This Act may be cited for all purposes as the Parks Regulation (Ireland) Act, 1891.

[Bill 270.]

Parks Regulation (Ireland).

A

B I L L

To extend the Parks Regulation Act, 1872, to Ireland.

(*Prepared and brought in by Mr. Attorney-General for Ireland and Mr. Arthur Balfour.*)

Ordered, by The House of Commons, *to be Printed,* 8 *April* 1891.

PRINTED BY EYRE AND SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.

And to be purchased, either directly or through any Bookseller, from
EYRE and SPOTTISWOODE, East Harding Street, Fleet Street, E.C., and 32, Abingdon Street, Westminster, S.W.; or
JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and 88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 270.]

Parliamentary Elections Bill.

MEMORANDUM.

The present Bill to consolidate, simplify, and amend the law relating to parliamentary elections is the first attempt yet made to embody in one measure the various complicated statutory provisions in numerous Acts of Parliament on this subject.

In by far the larger portion of this Bill the existing law is simply reproduced with such verbal alterations and modifications as were needed to fit in the various provisions with the proposed amendments of and alterations in the law proposed by this Bill. Wherever possible the exact words of existing statutes are retained, with the view of reducing the debatable matter, as far as practicable, to a minimum.

For the most part the law as it now exists is simply reproduced in the words of the several statutes particularly as regards :—

(1.) The provisions relating to illegal and corrupt practices.

(2.) The provisions relating to procedure at elections.

(3.) The law relating to election petitions.

(4.) The provisions relating to issue of writs, with modifications, and fixing date of election.

(5.) The method of taking votes at elections.

The chief alterations in the law proposed by this Bill are :—

(1.) The substitution of simple residential manhood suffrage as the qualification for the election of members to serve in Parliament in lieu of all existing franchises.

(2.) The abolition of dual voting at elections.

(3.) Simplification of the registration laws to accord with the proposed new franchise, mostly based on the provisions of the Scotch law.

(4.) Alterations in the law as to the appointment and duties of returning officers in view of the new proposals contained in the Bill.

(5.) The diminution of election expenses to candidates, and the payment of certain charges out of the Consolidated Fund.

(6.) At general elections all elections to be on one and the same day throughout the United Kingdom.

(7.) The abolition of the registration courts for the revision of lists of voters.

(8.) The repeal of the Septennial Act, and the substitution of triennial parliaments.

(9.) The closing of public and licensed houses on the day of election.

Parliamentary Elections Bill.

ARRANGEMENT OF CLAUSES.

Preliminary.

Clause.
1. Short title.
2. Repeal of Acts.
3. Saving.

PART I.

4. All existing franchises to be abolished. New enfranchising clauses substituted.
5. Enfranchisement of aliens. 33 & 34 Vict. c. 14. s. 7.
6. Universities' franchise amended as regards form of proxy voting papers, but otherwise not affected by this Act.

PART II.

7. Registration officers to be nominated specially for this Act. (Taken from 17 & 18 Vict. c. 91. s. 3, Scotch Act, which first established assessor for counties, and from 19 & 20 Vict. c. 58., which extended assessors in Scotland to boroughs by s. 7.)
Power to the Home Secretary to remove registration officer for neglect of duty or for other assigned cause.
8. Registration and returning officers disqualified from voting or holding any parochial office. (Enlarged from 19 & 20 Vict. c. 58., Scotch Act.)
9. Provision for filling up ad interim offices on which duties are imposed by this Act. (Based on 19 & 20 Vict. c. 58., Scotland.)

Clause.

10. Each registration officer to have place of business in each constituency or electoral division, and returns of such addresses to be published in "Gazette."

11. Provision as to service of notices. (Based on 19 & 20 Vict. c. 58., Scotland.)

12. Overseers and vestries to allot an official place of business to registration officer. 24 & 25 Vict. c. 125.

13. Registration officer to be paid a salary at rate of *l.* per annum out of Consolidated Fund.

14. Advertisements under this Act. (From 19 & 20 Vict. c. 58. s. x., Scotland.)

15. Registers put up to be maintained; if removed, &c., to be replaced. (From s. x., 19 & 20 Vict. c. 58., Scotland.)

16. Penalty for injury to registers of voters put up. (From s. xii., 19 & 20 Vict. c. 58., Scotland.)

17. Register of voters not invalidated by deficient publication. *See* 19 & 20 Vict. c. 58. s. xiii. (Scotland).

18. Errors of officers not to affect claims, &c. *See* 19 & 20 Vict. c. 58. s. xiv.

19. Registration officer to make out register of voters. *See* 19 & 20 Vict. c. 58.

20. Mode in which register of voters and official register of voters to be made up. (Taken from 19 & 20 Vict. c. 58. s. 2, Scotland.)

21. Qualification of elector, residence three months.

22. Registration officer to place name of every person entitled to vote on register of voters.

23. Registration officer to require overseers to serve requisition on occupiers and others.

24. Duty of person served to make return. Penalty.

25. Service of notice.

26. Penalties on registration officer for neglect of duty. *See* s. 40 of 19 & 20 Vict. c. 58.

27. Liability of registration officer or other person on whom a duty is imposed by this Act in damages by civil action to the person aggrieved in such sum not exceeding 500*l.* as a jury may award. (From first Scotch Reform Act, 2 & 3 Will. IV. c. 65.)

Clause.

28. Parochial authorities to afford registration officer facilities in preparing register of voters.

29. As to mode of publication by registration officer of register of voters, and notification to each voter of the entry thereon of his name and requiring voter to correct any inaccuracy as regards himself or other voters.

30. Claims to be on the register of voters.

31. Mode of claiming to be on register. Form of claim, Second Schedule.

32. Claimants to be placed on registers may be objected to on notice given to the registration officer. *See* 19 & 20 Vict. c. 22.

33. Printing and publishing list of voters.

34. Exhibition of list of voters.

35. Inspection of list of voters daily and freely.

36. Registration officer to revise register.

37. Registration officers to have powers of revising barristers in reference to disposing of claims.

38. False oath or affirmation to be deemed perjury.

39. List of voters to be finally revised by registration officer.

40. Magistrates to adjudicate upon all disputed claims.

41. Register of electors to be signed by registration officer.

42. Register to be published on October first yearly.

43. Election to take place on signed register.

44. Omission of voter from register to be punishable. Penalty of 40*s*.

45. Wilful or negligent omission of name of voter to give person omitted a penalty of 10*s*.

46. Summary jurisdiction in all cases.

47. Register of voters to be open for inspection.

48. Any person to have copy of register for five shillings.

49. Cost of list of voters and printing register of voters to be paid out of the rates.

50. Copy of register to be sent to Home Office, House of Commons, and libraries of the universities, Registrar-General, clerks of peace.

51. Lists of university voters to be similarly sent.

52. Removal cards to electors removing after the first November in each year.

Clause.
53. Removal claims to vote.
54. Re-issue of removal card.
55. Re-removal claims to vote.
56. Refusal of registration officer to issue removal card.
57. Renewal of removal card in case of the one issued being lost.
58. Personating a voter.
59. Fraudulent attempt to obtain or use card.
60. Fraudulently aiding or abetting attempt to obtain or use card.
61. Personation or voting twice at an election.
62. Returning officer to charge the offender, &c.
63. Removing or defacing list of voters, register, or other document, to be an illegal practice.

PART III.

Appointment and Duties of Registration and Returning Officers under this Act.

64. Mode of appointment of registration and returning officers, deputy officers, &c.
65. Responsibility and duties of registration and returning officers.
66. Registration and returning officer and deputy not to act as election agent.
67. Appointment of registration and returning officer, &c. to be approved by the Secretary of State.
68. Return to be made to the Home Office of all such appointments.
69. Sheriffs to make such returns annually.
70. Return as to appointment of deputy by registration and returning officers.
71. Registration and returning officer to hold office for five years.
72. To retire firstly in January 1892, and subsequently every fifth year.
73. To be eligible for re-appointment.
74. May retire from office upon giving proper notice.
75. Shall vacate his office in certain cases.
76. Appointment in case of vacancy by death and otherwise.

Clause.

77. Registration and returning officer, &c. to take oath of secrecy.
78. Violation of oath of secrecy. Penalty.
79. Ballot boxes, &c., &c., to be in custody of registration and returning officer.
80. Registration and returning officer to deliver over to his successor in office all papers, documents, and things in his possession.
81. To account to the Treasury for all moneys received.

Regulations as to Polling, &c.

82. Convenient polling stations to be provided.
83. Use of schoolrooms, &c. for poll to be free of charge.
84. Returning officer to keep order in polling station, &c.
85. To provide all necessaries for conducting the election.
86. Shall appoint counting clerks to count the votes.
87. Shall decide as to the validity of votes.
88. Shall have power to ask questions and administer oath.
89. Wrongfully refusing, &c. to receive vote. Penalty.

PART IV.

EXPENSES OF ELECTIONS.

90. Returning officer's costs to be paid out of the Consolidated Fund.
91 Charges of registration and returning officer to be sent to the Treasury, and to be laid before Parliament.
92. Candidate's address to be sent to each registered elector post free. No other communication to be enclosed; penalty for infringement.
93. Wilfully and knowingly violating section, or using official envelopes for other purposes, a misdemeanour.
94. Official envelopes to be provided by postal authorities.
95. Forfeiture of cost of postage by bogus candidates.
96. Poll card to be sent to each elector by the returning officer.
97. Such poll card to be delivered post free.
98. Cost of poll cards, &c. to be part of official expenses.
99. Other lawful expenditure to be borne by candidates.

Clause.
100. Excessive expenditure above maximum.
101. Return of election expenses.

PART V.

ILLEGAL AND CORRUPT PAYMENTS AND PRACTICES.

Illegal Practices.

102. Canvassing by hired persons illegal.
103. Canvassing by persons likely to unduly influence; canvassing by magistrates, police, &c. prohibited; systematic canvassing generally.
104. Payment, &c. for conveyance of voters to the poll illegal.
105. Letting, lending, or employing conveyance, &c. illegal.
106. Hiring, borrowing, or using conveyances, &c. illegal.
107. Illegal payments to be an illegal practice.
108. Payment, &c. for exhibiting bills, &c.; employment of bands of music, flags, &c.; committee rooms in excess of number; to be an illegal practice.
109. Corrupt withdrawal of candidate.
110. Publishing false statements of withdrawal of candidate.
111. Illegal employment.
112. Persons illegally employing or being employed.
113. Illegal hire of committee rooms and use of certain rooms for meetings illegal.
114. Hiring or letting such rooms illegal.
115. Use of certain rooms for meetings lawful in certain cases.
116. Bill, placards, notices, &c. to bear name of printer.
117. Voting of prohibited person.
118. Payment of election expenses through agent.
119. Payments in excess of maximum illegal.
120. Providing money for illegal purposes or in excess of maximum.
121. Every payment to be vouched.
122. Claim as to expenses to be sent in within fourteen days.
123. All payments to be made within twenty-eight days.
124. Relief to candidate in certain cases.
125. Disputed claims.
126. Order of court as to payment.

Clause.
127. Leave by High Court or county court.
128. Return of election expenses within thirty-five days.
129. Declaration by election agent.
130. Declaration by candidate.
131. Declaration by candidate when his own election agent.
132. Failure to make return an illegal practice.
133. If failure due to others, candidate exonerated.
134. Exemption of candidate and agent in certain cases.
135. Exemption in case of illness or death.
136. Relief by court in certain cases.
137. Failure to transmit return after expiration of leave given.
138. Members sitting and voting after date for transmitting return.
139. Claim of election agent against candidate.
140. Taxation of claims by court.
141. Saving for creditors.
142. Intimidating, threatening, or injuring voter at meeting, &c. to be an illegal practice.
143. Persons neglecting to prevent such intimidation, &c. to be guilty of an illegal practice.
144. If candidate personally privy to intimidation, &c. to be guilty of an illegal practice.
145. Penalty for illegal practices—any person, agent, or sub-agent, or candidate.

Corrupt Practices.

146. Personation, or aiding and abetting personation.
147. Treating to be a corrupt practice.
148. Being treated to be a corrupt practice.
149. Undue influence.
150. To be a corrupt practice.
151. Bribery.
152. Procurement of office or employment.
153. Gift, loan, or promise of gift or loan, &c.
154. Person corruptly aiding the return of any candidate.
155. Person supplying money, &c. corruptly to return any candidate.
156. Person corruptly receiving money, &c. to vote.

Clause.
157. Person corruptly receiving money, &c. for voting.
158. Corrupt payment of rates or remission of rent.
159. Corruptly receiving payment or remission.
160. Corruptly paying fee, &c. to or for any university voter.
161. Penalty for corrupt practices in various cases.
162. Corrupt withdrawal of election petition.
163. Making false declaration; relief in certain cases.
164. Employment of person convicted of illegal or corrupt practices.
165. General corruption or illegal practices to void election, &c.
166. Person to include society, association, committee, &c.

PART VI.

Conduct and Management of Elections, Method of Polling, Day of Poll, Returns, &c.

Declaratory Ancient Statutes.

167. Elections to be free.
168. Interference by peers and prelates to be a corrupt practice.
169. Soldiers to be confined to barracks during election.
170. Notice by clerk to the Crown to Minister of War, &c.
171. Militia, yeomanry, and volunteers.
172. Registered elector not to be compelled to serve as special constable during election.
173. Liability on persons not performing any pre-requisite for qualification under this Act.
174. Penalty for refusing to give effect to preceding section.
175. Liability in civil action to party aggrieved.
176. Parties conspiring, penalties.
177. Officers appointed under this Act obstructing voter.

Issue and Return of Writ.

178. Time limited between teste and return of writ.
179. Lord Chancellor to fix date of election and issue writs.
180. Issue of precept for election.
181. Delivery of precept to returning officer.
182. Returning officer to give public notice of election.

Clause.
183. Dates of nomination and election.
184. Day of nomination and election respectively to be the one and the same throughout the United Kingdom.
185. Parliament may be summoned within thirty-five days.
186. Member accepting office under the Crown.
187. Contractors to the Government not to sit or vote.
188. Vacancy after general election; Speaker to issue warrant for new writ.
189. Issue of writ in case of vacancy during recess.
190. Member accepting office to notify the Speaker.
191. Bankrupt to vacate his seat in Parliament.
192. Certificate of bankruptcy to be given by the court to the Speaker who shall issue new writ.

Nomination and Election.

193. Nomination of candidate.
194. Declaration of election if no opposition.
195. Adjournment for election.
196. Withdrawal of candidate.
197. Death of candidate after nomination.
198. Vacancy caused by death during election.

Polling at Elections.

199. Votes at elections to be given by ballot.
200. Polling stations to be open from 8 a.m. to 9 p.m.
201. Ballot boxes to be sealed at close of poll.
202. Ballot boxes to be opened in presence of candidates or agents.
203. Declaration of return by returning officer.
204. Returning officer's decision final, except scrutiny demanded.
205. Casting vote by returning officer.
206. Recounts of votes may be demanded.
207. The Seventh Schedule to be construed with Act.
208. Offences at elections with respect to nomination and ballot papers, &c.
209. Returning officer to prosecute.
210. Infringement of secrecy at polling station.
211. Infringement of secrecy at counting votes.

Election Agents.

Clause.

212. Appointment of election agent.
213. Appointment of agent may be revoked.
214. Appointment of sub-agents.
215. Act of sub-agent deemed act of agent.
216. Declaration of name and address of sub-agent.
217. Power to revoke appointment of sub-agent.
218. Agent and sub-agent to have public office.
219. Agent to appoint polling clerks, &c. and hire committee rooms.
220. Contracts not enforceable unless made by agent.

Election Expenses, Payment of, &c.

221. Personal expenses of candidate.
222. Statement of personal expenses to be sent to agent.
223. Petty expenses by other person authorised.
224. Statement of petty expenses to be sent to agent.
225. Authorised excuse for non-compliance as to return and declaration respecting election expenses.
226. Publication of summary of return of election expenses.

Disqualification of Electors.

227. Prohibition of certain persons from voting.
228. Prohibition of disqualified persons from voting.
229. Hearing of person charged with offences under this Act before he is reported guilty of breach thereof; provisions as to appeals, &c.
230. List in register of voters incapacitated for voting by corrupt or illegal practices.

Proceedings in Election Petition.

231. Time for presentation of election petitions alleging illegal practices.
232. Withdrawal of election petition.
233. Continuation of trial of election petition.
234. Attendance of Director of Public Prosecutions, &c.
235. Power of election court to order payment, &c.

Miscellaneous.

Clause.
236. Inquiry by Director of Public Prosecutions into alleged corrupt or illegal practices.
237. Removal of incapacity on proof that it was procured by perjury.
238. Amendment of the law as to polling places, &c.
239. Expenses to be charged to the Consolidated Fund.
240. Election commissioners not to inquire into elections before the passing of this Act.

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241. Trial in Central Criminal Court for corrupt practices at instance of Attorney General.
242. Limitation of time for prosecution of offence.
243. Persons charged with corrupt practice may be found guilty of illegal practice.
244. Costs and expenses of prosecutions under this Act.
245. Costs in cases of private prosecutions under this Act.
246. Prosecutions on summary conviction may appeal to quarter sessions.
247. Application of Summary Jurisdiction and Indictable Offences Acts to proceedings before election courts.
248. Exercise of jurisdiction of High Court, and making rules of court.
249. Director of Public Prosecutions, and expenses of prosecutions.
250. Recovery of costs payable by county or borough or person. Supplemental provisions, definitions, savings, and repeal.
251. Obligation of witness to answer, and certificate of indemnity.
252. Submission of report of election court, &c. to Attorney General.
253. Breach of duty by officer.
254. Publication and service of notice.
255. Definition of candidate, and saving.
256. General interpretation of terms.
257. Short titles.
258. Repeal of Acts.
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Clause.
260. Application of Act to Scotland, modifications, definition of terms, &c.
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262. Triennial parliaments.
263. Day of election to be the same throughout the United Kingdom.
264. Polling to be on the same day throughout the United Kingdom.
265. Date of general election to be fixed by Lord Chancellor.
266. Interval between day of nomination and polling to be uniform.
267. Regulations as to dates, &c. at intermediate election to be the same as for the statutory general election.
268. Issue of writs.
269. Provisions of other sections of Act to apply.
270. The statutory general election to be held in October.
271. Elections to be on new register.
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275. Effect of second conviction for violation of this Act.
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A

B I L L

TO

Consolidate, simplify, and amend the Law relating to Parliamentary Elections, and for other purposes relating thereto. A.D. 1891.

WHEREAS it is expedient to amend and simplify the law relating to parliamentary elections:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Parliamentary Elections Act, 1891. Short title.

2. From and after *the passing of this Act* all statutes and parts of statutes relating to the several matters herein set forth, except as provided by this Act, shall be and are hereby repealed. Repeal of Acts.

3. Provided that nothing in this Act shall affect any matters done under existing Acts, or any persons subject to the provisions of existing Acts at the date of the passing of this Act. Saving.

PART I.

Franchises.

4. From and after *the passing of this Act* all existing franchises, except as herein-after provided, shall be abolished, and in lieu thereof the following shall be substituted and have effect; All existing franchises to be abolished.

(1.) Every male person of the full age of twenty-one years and not subject to any physical or legal incapacity shall be qualified to be placed on the list of registered voters for the county, borough, or division of the county or borough, or city in which he resides at the date at which the duly authorised register for such electoral division is made up. Registered manhood suffrage. *See* 30 & 31 Vict. c. 102. s. 3.

A.D. 1891.

Residence for three months.

(2.) Provided that the said male person shall have resided in such electoral division continuously for a period of *three calendar months* preceding the date specified in this Act.

Aliens.

(3.) Provided further that such male person is not an alien.

Peers and bishops.

(4.) Provided also that such male person is not a peer of the realm or lord spiritual sitting in the House of Lords.

Scheduled persons.

(5.) Provided also that such male person is not named in the schedules mentioned or referred to in the thirteenth, fourteenth, fifteenth, and sixteenth sections of the Representation of the People Act, 1867, or otherwise disqualified by having been found guilty of corrupt practices.

Army and navy.

(6.) Provided also that such male person is not in Her Majesty's regular military or naval service, save and except he is employed in the capacity of a civilian.

In receipt of parochial relief.

(7.) Provided also that such male person is not and has not been during the said qualifying period of three months in receipt of parochial relief, temporary medical relief for himself or family excepted.

Exceptions: prisoners, lunatics, paupers, soldiers, and sailors.

(8.) Provided also that such male person is not a resident in or an inmate of any prison or house of detention, lunatic asylum, parochial workhouse, army barracks, constabulary barracks, naval station, or on board one of Her Majesty's ships of war.

Persons not to be disfranchised by reason of vaccination or remission of school fees.

(9.) For the purposes of this Act no person shall be deemed to be in receipt of parochial relief, or shall be disfranchised by reason of having been himself or any of his family vaccinated free of cost by any local practitioner appointed for that purpose by the Local Government Board, or by any local authority, or by reason of the remission of school fees for any of his children under the Education Acts, or any other Acts for the time being in force.

Enfranchisement of aliens. 33 & 34 Vict. c. 14. s. 7.

5.—(1.) Any male person of foreign birth of the full age of twenty-one years who shall have resided in the United Kingdom continuously for a period of not less than five years, or who may have been in the service of the Crown for not less than five years, and intends, when naturalized, to reside in the United Kingdom, and who has taken out a certificate of naturalization, shall be entitled to be placed on the registered list of voters for the place in which he resides and has resided continuously for three calendar months preceding the date at which the register is made up:

Statutory alien. 33 & 34 Vict. c. 14. s. 8.

(2.) And any natural-born British subject who may have become an alien in pursuance of the Act 33 & 34 Vict. c. 14., herein referred to as a statutory alien, of the full age of twenty-one years, who

shall have fulfilled the statutory provisions of the aforesaid Act as to re-admission as a British subject, and shall have resided continuously in the electoral division for a period of three months, shall be entitled to be placed on the registered list of voters for the place in which he resides, and has resided continuously for three calendar months preceding the date at which the register is made up.

Aliens, residence of three months.

Provided that such male person shall have become naturalized or re-admitted as a British subject prior to the commencement of the qualifying residential period named in this Act.

Certificate of naturalization.

(3.) Any male person of foreign birth being desirous of becoming naturalized, or in the case of a statutory alien re-admitted, shall be entitled to a certificate of naturalization upon subscribing to the form of oath or declaration set forth in the First Schedule to this Act, and upon the payment of not more than *one pound* sterling for fees and stamps inclusive for such certificate.

Stamps and fees.

6. Save and except as provided by this section, and the sixty-third and sixty-fourth rules in the Seventh Schedule as herein mentioned, this Act shall not affect any franchise or right now existing to vote for a member to serve in Parliament for the universities of Oxford, Cambridge, London, Dublin, Edinburgh and St. Andrews, and Glasgow and Aberdeen universities; and every male person of full age and not subject to any legal incapacity who but for the passing of this Act is now or may be entitled to vote at elections for members to serve in Parliament for the said universities shall be entitled to vote in the form and manner now prescribed by law, subject nevertheless as regards voting by means of voting papers to the regulations and provisions contained in Part II. of the Seventh Schedule to this Act, which are hereby substituted for the provisions in the first and second sections of the Act 24 & 25 Vict. c. 53., and the schedule to the said Act, and the Universities Elections Act, 1868, which said sections, schedule, and Acts respectively, so far as the same are inconsistent with the said schedule to this Act, are hereby repealed.

Universities franchise amended as regards form of proxy voting papers, but otherwise not affected by this Act. Schedule VII., pp. 97.

(1.) Provided always, that such electors shall not vote at the same election in any other constituency in the exercise of any other franchise whatsoever.

Universities voters not to have double, but only one vote.

A.D. 1891.

PART II.

Registration of Voters.

Registration officers to be nominated specially for this Act. (Taken from 17 & 18 Vict. c. 91. s. 3. Scotch Act, which first established assessors for counties, and from 19 & 20 Vict. c. 58. which extended assessors in Scotland to boroughs by sec. 7.) See 48 Vict. c. 16. s. 9.

7. The persons respectively who are by this Act authorised or enabled to appoint the returning officers for the several counties and boroughs or divisions of counties and boroughs in the United Kingdom, shall, so soon as may be within the period of one calendar month after the *passing of this Act*, nominate and appoint fit and proper persons to be "registration officers" for each electoral division to perform the duties imposed on the registration officers under this Act, and shall make public advertisement (1) of any such appointment in England in the "London Gazette" and in some one or more newspapers circulating in the electoral division in respect of which the registration officer is appointed; and (2) as regards any such appointment in Scotland in the "Edinburgh Gazette," and in the "North British Advertiser," and in some one or more newspapers circulating in the constituency or electoral division in respect of which the registration officer is appointed; and (3) as regards any such appointment in Ireland, in the "Dublin Gazette," and some one or more newspapers circulating in the electoral division for which such registration officer shall be appointed, and every such registration officer so appointed shall from the date of his appointment be specially charged with all the duties incumbent on the registration officer under this Act, and the appointment of each registration officer shall be for a term of *five years* counting from the *first day of March one thousand eight hundred and ninety-one*, and on every occasion where in any electoral division a registration officer so appointed shall cease to hold office the said persons directed to appoint registration officers as aforesaid, shall, at latest within one month thereafter, appoint another successor to act as aforesaid, and make public advertisement of such appointment as before mentioned, and every registration officer shall within three days after his appointment notify the same in writing to the Home Office, and Her Majesty's Principal Secretary of State for the Home Department shall on the first week in March publish in the "London Gazette," "Edinburgh Gazette," and "Dublin Gazette," the names and official addresses of all the said registration officers in the alphabetical order of each electoral division.

Power to the Home Secretary to remove registration officer for neglect of

Provided always, that it shall be lawful for Her Majesty's Principal Secretary of State for the Home Department to declare by writing under his hand that any registration officer has been guilty of neglect of duty or duties under this Act, and it shall be lawful for the Home Secretary for that or for any cause which may

appear fit and proper to the Home Secretary, and which may be mentioned in such writing aforesaid, to declare that the appointment of the registration officer has terminated as if by effluxion of the said term of five years, and thereupon as from the date mentioned in the said writing under the hand of the Home Secretary, the registration officer mentioned in the said writing shall cease to exercise any functions under this Act, and be incapacitated from acting thereafter as a registration officer, and another registration officer shall be appointed in the place of the registration officer mentioned in such writing.

duty or for other assigned cause.

8. No registration and returning officer appointed under this Act, whilst he continue such registration and returning officer, and no clerk, deputy, or agent of or person employed by such registration or returning officer, shall be eligible to be registered as a voter or to vote or take part in any election of a member to serve in Parliament or in any municipal election, and no such officer, clerk, deputy, or agent of or person employed by such registration or returning officer, shall be and he is hereby disqualified from being or acting as an overseer, collector of poor rates, guardian of the poor, vestry clerk, clerk to the guardians, sheriff clerk, or clerk of supply, or from filling any parish or ward office whatsoever, or from being employed as collector of rent, factor for heritable property, land agent, or bailiff or steward, or deputy steward, for or in respect of any property within the electoral division for which such registration and returning officer is appointed under this Act.

Registration and returning officers disqualified from voting or holding any parochial office. Enlarged from 19 & 20 Vict. c. 58. (Scotch Act).

Provided always, that any person who may have been a revising barrister, acting in any electoral division of the United Kingdom, in pursuance of Acts existing before the commencement of this Act, shall not be ineligible for appointment as registration and returning officer by reason of having filled any such prohibited office under any Act by this Act repealed.

Revising barrister under existing Acts not ineligible for appointment under this Act.

9. Where in any electoral division any office upon the holder whereof duties are imposed by this Act shall become vacant it shall be competent for the said persons who are hereby authorised and required to appoint registration and returning officers, and they are hereby authorised and required, in the event it shall appear to the said persons to be necessary or expedient in order to the carrying out of the purposes of this Act, to appoint a person to perform ad interim for a period not exceeding three calendar months the duties of such office, in so far as imposed by or necessary for the purposes of this Act; and the person so to be

Provision for filling up ad interim offices on which duties are imposed by this Act. Taken from 19 & 20 Vict. c. 58. (Scotland).

A.D. 1891.

appointed shall be charged with and perform such duties until such office be duly filled up, and shall be entitled to such reasonable remuneration therefor as may be fixed by such persons so appointing the interim registration and returning officer with the approbation of Her Majesty's Principal Secretary of State for the Home Department, and *such remuneration shall be payable in the like manner and out of the like funds.*

Each registration officer to have place of business in each constituency or electoral division and returns of such addresses to be published in Gazette.

10. Every registration officer or interim registration officer shall have within each constituency or electoral division a place for transacting official business, and the same shall be open for transaction of business from *eight o'clock a.m.* till *nine o'clock p.m.* during the months of July, August, and September in each year, and the address of such place or office shall be notified to every clerk of peace, town clerk, and vestry clerk acting or exercising jurisdiction or functions for any part of the electoral division in respect of which the registration officer or interim registration officer is appointed, and shall be published by the "registration" or interim registration officer in the "London Gazette" as regards appointments in England and Wales, and in the "Edinburgh Gazette," as regards appointments in Scotland, and in the "Dublin Gazette," as regards appointments in Ireland.

Provision as to service of notices. Based on 19 & 20 Vict. c. 58. (Scotland).

11. Whenever any notice is by this Act required to be given to the registration or interim registration officer it shall be sufficient if such notice shall be delivered to him or sent to him by post, postage prepaid, or left at his place for transacting his official business, and wherever by this Act any notice is required to be given to any other person it shall be sufficient if such notice be sent by the post, postage prepaid, addressed with a sufficient direction to the person to whom the same ought to be given at his usual place of abode.

Overseers and vestries to allot an official place of business to registration officer. 24 & 25 Vict. c. 125.

12. It shall be lawful for the overseers and vestries who by law now have or hold or may hereafter acquire places for the transaction of official business of the parish, and for any local authority as defined by section thirty-four of the 38 & 39 Vict. c. 83., to allot free of charge to the registration officer or interim registration officer in their respective places for the transaction of official business an office for transacting his official business under this Act.

Registration officer to be paid a salary at rate of *l.* per annum out of Con-

13. *In payment and full discharge of all proper and reasonable fees for the trouble, care, and attention in performance of the services and duties on each registration officer imposed on him by this Act, and for all clerks, messengers, and other persons employed by or under his direction, there shall be paid out of the Consolidated*

Fund the salary of pounds for each year, commencing from the date of the appointment of each such registration officer, and so in proportion for each fraction of the year, and such salary shall be paid quarterly or otherwise as Her Majesty's Treasury shall direct.

A.D. 1891. Consolidated Fund.

14. In all cases where any notice is directed by this Act to be advertised in any newspaper, such advertisement shall be repeated in the same or some similar newspaper not earlier than six and not later than eight days after the day on or before which such advertisement is herein required to be published.

Advertisements under this Act. From 19 & 20 Vict. c. 58. s. x. (Scotland).

15. Where any document shall, pursuant to the provisions of this Act, be affixed on any place, the same shall continue so affixed for a period of fourteen days including two consecutive Sundays at the least next after the day of publication, and if removed or defaced within such period shall be replaced by the person bound to give the notice.

Registers put up to be maintained. From s. xi. 19 & 20 Vict. c. 58. (Scotland). If removed, &c. to be replaced. Ditto.

16. Every person who shall wilfully mutilate or remove any document so affixed during such period shall for every such offence forfeit a sum not exceeding *forty shillings* nor less than *ten shillings* to any person who will sue for the same, to be recovered in a summary manner before any court herein-after mentioned for the recovery of fines and penalties.

Penalty for injury to registers of voters exhibited. From s. xii. 19 & 20 Vict. c. 58. (Scotland).

17. No register of voters shall be invalidated by reason that it shall not have been advertised pursuant to this Act, or shall not have been affixed in the place and for the full time herein required for publication thereof, and every such register may be revised and adjudicated upon though not advertised or affixed as aforesaid: Provided always, that nothing herein contained shall be construed to exempt any registration officer or person mentioned in this Act acting in wilful or culpable neglect of any duty imposed upon him by this Act from any penalties thereby incurred.

Register of voters not invalidated by deficient publication. *See* 19 & 20 Vict. c. 58. s. xiii. (Scotland).

18. No claim or objection to any claim shall be invalidated or affected by reason of any mistake, error, or omission committed by any public officer to whom claims or objections are appointed to be given in or transmitted.

Errors of officers not to affect claims. *See* 19 & 20 Vict. c. 58. s. xiv. (Scotland).

19. The registration officer of every constituency shall make out or cause to be made out in pursuance of the provisions of this Act, and according to the forms in the Third Schedule to this Act annexed, a register of all persons who may be entitled to vote in the election of a member or members to serve in Parliament for each constituency, and such register of voters shall be made up to the

Registration officers to make out register of voters. *See* 19 & 20 Vict. c. 58.

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twenty-fourth day of June in each year, and such register when revised and settled as provided by this Act shall come into force on the *first day of October* next ensuing in each year respectively and shall be deemed the official register for election purposes.

Mode in which register of voters and official register of voters to be made up. Taken from 19 & 20 Vict. c. 58. ss. 2 & 29. (Scotland).

20. The said register of voters shall be arranged in wards, where the constituency or electoral division is divided into wards, and in polling districts, and each ward and polling district in burghs shall be arranged as far as conveniently may be in the alphabetical order of streets, roads, squares, lanes, and other places in which houses are distinguished by numbers, each such street, road, square, lane, and other place being arranged according to the numbers of the houses, and as regards all other places in the alphabetical order of the wards or polling districts according to the alphabetical order of the surnames of persons registered as voters in such ward or polling district, and in such list the Christian name and surname of every such person shall be written or printed at full length, together with his occupation if necessary for identifying the voter, and residence in respect of which he may be entitled to be placed on the register of voters, the surname or other name or names of each voter being placed before the Christian name or names, and the said register shall be so arranged and printed that the list of voters of and for each and every separate ward may be cut out or detached and ready for the purposes of this Act or for sale.

Qualification of elector, residence three months.

21. Every male person of the full age of twenty-one years and not subject to any physical or legal incapacity who shall have resided in the electoral division for the full period of three months preceding such *twenty-fourth day of June* in each year shall be entitled to be placed on the register of voters for the parliamentary constituency in which he so resides and has resided during the qualifying term as aforesaid.

Registration officer to place name of every person entitled to vote on register of voters.

22. The registration officer shall insert or cause to be inserted in the said register of voters the names of all male persons of the full age of twenty-one years who may reside and shall have resided for a period of three months in such division, or shall have resided for that period according to the provisions of this Act in such division preceding the *twenty-fourth day of June* as aforesaid.

Registration officer to require overseers to serve requisition

23. For the purpose of the execution of such duty the registration officer shall direct the overseers to serve, and the overseers or such other local authority whose duty it is to collect the rates shall fill up and serve, on the person who is the occupier or rated or liable

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to be rated in respect of such house or on some agent of such person concerned in the management of such house the requisition specified in the Second Schedule to this Act requiring that the form in that notice be accurately filled up and returned to the registration officer within fourteen days after such notice.

on occupiers and others.

Duty of person served to make return.

Penalty.

24. If any such person or agent on whom such requisition is served fails to comply therewith, he shall be liable on summary conviction to a fine not exceeding *ten shillings* in respect of each and every voter entitled to be registered under this Act as a voter omitted from such return, and shall further be liable to pay to any person entitled to be registered under this Act as a voter in respect of such house who by reason of his so failing is put to trouble and expense in making or sustaining a claim to have his name inserted in the register at any revision such costs as the court may order, for which purpose the court shall have the same powers of ordering the payment of costs by the person so in default as he had by virtue of the Registration Acts in the case of groundless or frivolous and vexatious claims and objections: Provided that no such order shall be made unless the court is satisfied that reasonable notice that the same would be applied for has been given to the person affected thereby.

Proviso.

Service of notice.

25. The notice under this section may be served in manner provided by the Representation of the People Acts with respect to the service on occupiers of notice of nonpayment of rates, and where a body of persons corporate or incorporate is rated shall be served on the secretary or agent of such body of persons, and where the house by reason of belonging to the Crown or otherwise is not rated shall be served on the chief local officer having the superintendence or control of such house.

Registration officer neglecting duty to be deemed guilty of an illegal practice within the meaning of this Act.

26. Any registration officer who shall wilfully refuse or neglect to make out any register of voters, or who shall wilfully neglect to insert therein the name of any person who shall have given due notice of claim, or who in making out any list of voters shall wilfully and without any reasonable cause omit the name of any person duly qualified to be inserted in such list, or who shall wilfully and without any reasonable cause insert in such list the name of any person not duly qualified, or who shall wilfully refuse or neglect to publish any notice, register of voters, or list, or copy thereof respectively, at the time and in manner required by the Act, or who shall be guilty of any other breach of duty in the execution of this Act, shall be guilty of an illegal practice within

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the meaning of this Act: Provided always, that nothing herein contained as to any fine or penalty shall affect or abridge any right of action against any registration officer liable to any fine or any liability such registration officer may incur under or by virtue of this Act.

Liability of registration officer or other persons on whom a duty is imposed by this Act in damages by civil action to the person aggrieved in such sum not exceeding 500*l.* as a jury may award. From first Scotch Reform Act, 2 & 3 Will. IV. c. 65.

27. If any registration officer, overseers, or any person whatsoever shall wilfully contravene or disobey the provisions of this Act or any of them with respect to any matter or thing which such registration officer, overseer, or other person is hereby required to do, he shall for such offence be liable to be sued in the High Court of Justice in England, and in the Court of Session in Scotland, and in the High Court of Justice in Ireland, by any registered voter, candidate, member actually returned, or other party aggrieved, for the penal sum of *five hundred pounds*, and the jury before whom such action shall be tried may find their verdict for the full sum of *five hundred pounds* or for any less sum which the said jury shall think it just that such party defendant should pay to each party plaintiff, and the defendant in such action being convicted shall pay such penal sum so awarded, with full costs of suit, to the party who may sue for the same, without prejudice, however, to the right of any party aggrieved by the misconduct of any registration and returning officer to recover such damages for a false return as he may be entitled to at common law or by virtue of any statute now in force: Provided always, that every such action shall be commenced or raised within four calendar months next after the cause of action has arisen, and that notice in writing shall be given to the defendant at least one month before the raising of any such action signed by the party bringing or raising such action or his agent and setting forth the place of abode of the party signing the same: Provided also, that any such defendant against whom any judgment shall have been recovered in any such action shall be allowed to plead such judgment as a bar to any other action which may be brought against him for the same matter or thing, and such other action being thereupon dismissed such defendant shall recover his full costs thereof.

Parochial authorities to afford registration officer facilities in preparing register of voters.

28. Town clerks, vestry clerks, overseers, or guardians, and every collector of poor rates, relieving officers, and other parochial officer and persons employed by them respectively shall be bound at all times on demand to give all information in their power to the registration officer for the purpose of preparing and completing the said register of voters, and shall at all times produce all rate books, and other books, papers, and documents, to enable the registration

officer to prepare the said register of voters, and if any person duly qualified to be on the list of voters may have been wilfully or negligently omitted from such list of voters by reason of any act, neglect, or default of the town clerk, vestry clerk, overseers, guardians, collector of poor rates, relieving officers, and other parochial officer as aforesaid, such person may recover from the overseers or other local authority, a sum not exceeding *twenty shillings* and costs for every offence in addition to and without prejudice to the penalty for damages mentioned in section forty-five of this Act. A.D. 1891.

As to mode of publication by registration officer of register of voters, and notification to each voter of the entry thereon of his name, and requiring voter to correct any inaccuracy as regards himself or other voters.

29. The register of voters, when compiled by the said registration officer, shall be printed and published on or before the *fifteenth day of July* next ensuing in each year respectively, and immediately after the *fifteenth day of July* in each year the registration officer shall issue a notice to each voter whose name is entered on such register, and shall inform him of the fact of his name and residence being so entered on such register of voters, and shall also inform such voter that a copy of such register of voters remains open for his inspection free of cost daily between the hours of eleven o'clock in the morning and nine o'clock in the evening, at the official residence of the registration officer, or at some place or places situate within the polling district of such voter to whom such notice is addressed, and each voter shall be required to notify to the registration officer on or before the *first day of August* then next ensuing any error or omission relating to his Christian name or surname or residence as a qualification; and he shall be requested to give to the registration officer any information in his power as to any errors or omissions occurring in the said register of voters.

Claims to be on the register of voters.

30. Any person duly qualified to be on the said list of voters, and who may have been omitted therefrom, may claim to be placed on the register of voters at any time within one month from the date of the publication of such list of registered voters.

Mode of claiming to be on register. Form of claim, Second Schedule.

31. Any person claiming to be on the list of registered voters shall fill in a form, to be obtained without payment therefor of the registration officer for the division, which form shall be signed by the person claiming to be on the list of voters, and shall be attested by a registered elector in the division, who shall affirm of his own knowledge that the claimant is to the best of his belief entitled to be on the list of registered voters for the division.

Claimants to be placed on registers may be objected to on notice

32. It shall be lawful for any person whose name shall be on the list of voters for any constituency or division to oppose the claim of any person to have his name inserted in the list of voters for the same constituency or division, and such person intending to

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given to the registration officer. (*See* 19 & 20 Vict. c. 22.)

oppose such claim shall, during the month of August, give notice in writing to the registration officer and to the person so objected to of his intention to oppose the said claim, and shall thereupon be admitted to oppose the same by evidence or otherwise without any previous or other notice, and shall have the same rights, powers, and liabilities as to costs, appeals, and other matters relating to the hearing and determination of the said claim as any person who shall have duly objected to the name of any other person being retained on any list of voters, and who shall appear and prove the requisite notices in the terms of this Act.

Printing and publishing list of registered voters and claimants.

33. The registration officer shall cause such list of registered voters, and list of persons claiming to be on the said list, to be printed and published, and to be exhibited as herein-after provided by and on the *first day of August* in each year, which list of registered voters and claimants shall continue to be exhibited during the whole of the said month of August for the inspection of the electorate for the division.

Exhibition of list of registered voters and claimants.

34. The said list of registered voters and of persons claiming to be on such register of voters shall be exhibited at the door or other prominent and accessible place at the official place of business of the registration officer in each division, and of every church, chapel, or other place of public worship, and of every school receiving a grant of money from the Government or maintained out of the rates, of every post office, of every municipal or other local office and institution, and of every assessor and collector of income tax within the boundary of the electoral division to which the said list of registered voters applies.

Inspection of list of voters daily and freely.

35. Every voter shall be entitled, without let or hindrance, molestation or obstruction, to inspect such list of registered voters and claimants daily at such places aforesaid between the hours of eight o'clock in the morning and eight o'clock in the evening, during the month of *August*, from the *first* to the *last* day thereof inclusive.

Registration officer to revise register.

36. The registration officer shall correct any mistake which shall be proved to him to have been made in any register of voters, and shall expunge the name of every person whose qualification shall be insufficient in law to entitle such person to vote, and also the name of every person who shall be proved to him to be dead, and if in entering the name and qualification of any voter anything requiring to be specified be omitted, or if any description be insufficient for identification, such registration officer shall expunge the name of any person so entered unless the matter so omitted or

insufficiently described be upon demand supplied to his satisfaction before he shall have completed the revision of the list, and such registration officer shall write his initials against the names respectively expunged or inserted and against any part of the said register of voters in which any mistake shall have been corrected or any omission supplied or any insertion made by him.

Registration officers to have powers of revising barristers in reference to disposing of claims.

37. It shall at all times be competent to any registration officer to exercise all the powers now vested in revising barristers or sheriffs for holding courts for revision, of holding of courts, evening sittings in boroughs, adjournment of courts, removal of persons interrupting, for compelling attendance of clerks of the peace, overseers, past overseers, collectors of rates, relieving officers, the production of rate books, hearing of objections to entries on registers, administration of oaths, procedure at revision before the courts, and powers to make rules of procedure, and payment of expenses, as is now vested in or exerciseable by the provisions of existing Acts relating to registration of voters.

False oath or affirmation to be deemed perjury.

38. Any person taking any oath or making affirmation before such registration officer who shall wilfully swear falsely shall be deemed guilty of perjury, and shall be liable to be punished accordingly.

List of voters to be finally revised by the registration officer.

39. At the expiration of the term and date aforesaid the registration officer shall revise the said list of registered voters, and shall insert or cause to be inserted therein all such names of persons who shall, during the said month of August, or within seven days thereafter, have claimed to be and shall be entitled to be included in such list of registered voters, and all such names of persons as may have been negligently, accidentally, or otherwise omitted from the said list of registered voters;

Provided that the registration officer deems such claim to be on the said list of registered voters to be just and reasonable.

Magistrates to adjudicate upon all disputed claims.

40. Should any doubt arise as to the legal claim of any person to be placed on the list of voters, either by reason of physical or legal incapacity, not being of age, insufficient residence, on account of having been in receipt of parochial relief, or otherwise, such person may, on or before the *fourteenth day of September* in each year, apply to the registration officer for the division, or to any stipendiary magistrate, or to any two justices of the peace having jurisdiction within the electoral division or part of an electoral division, to have such claim allowed. Such application and hearing shall be without costs in any case, except it be for alleged wilful or negligent omission. The decision of the registration officer, if so accepted,

Decision of magistrates to be final.

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or of the magistrate or justices, if submitted to the court, shall be final for the year during which such register is operative.

Register of voters to be signed and attested by the registration officer.

41. On the said register of voters being so completed, revised, and made up, the reference number in the list of registered voters shall be struck out, and the registration officer shall prefix against each voter's name his number on such register, the numbers to be consecutive from one, opposite the first name on the list, to whatever number the said list shall contain, in regular serial order, and the registration officer shall sign and attest such register before a magistrate having jurisdiction in the electoral division, who shall countersign the same, and such revised list shall constitute the official register of parliamentary voters for the electoral division to which it applies for each year respectively dating from the *first day of October*, and ending on the *thirtieth day of September* next ensuing annually.

Register to be published on October 1st yearly.

42. The official register so signed and attested shall be printed by order of the registration officer, and shall be ready for issue on or before the *first day of October* in each year.

Election to take place on signed register.

43. Any election taking place during such year shall be taken upon the said official register, so signed, attested, printed, and published, and all voters therein named shall be entitled to vote at such elections without question as to qualification, unless struck out by the registration officer as having removed, or otherwise incapacitated by this Act.

Omission of voter from register to be punishable.

Penalty of forty shillings.

44. Any omission of the name from the official register so signed of any duly qualified voter shall be an offence at law, and shall render the offender liable to a penalty of *forty shillings* and costs for every such offence. The elector may proceed against the registration officer or the printer, or both conjointly, before a court of summary jurisdiction, or in the county court.

Wilful or negligent omission of name of voter.

Penalty.

45. Any person duly entitled to be on the list of registered voters who may have been wilfully or negligently omitted from the register of voters may recover from the registration officer or other persons by whose default, neglect, or omission such omission has occurred, a sum not exceeding *ten shillings* and costs for every such offence.

Summary jurisdiction in all cases.

46. The proceedings under the above section for the recovery of fine shall be before the stipendiary magistrate for such electoral division, or part of electoral division, or before the county court judge for the district, or before any two resident justices of the peace sitting at any duly constituted court next ensuing for such electoral division or part of a division within the county, borough,

or division of a county or borough in which the said omission shall have arisen, or within one month from the date when the registered list of voters shall have been duly published.

Register to be open for inspection.

47. The authorised official register shall be open for the inspection of any elector on any day of the week (Sundays excepted) at the town hall, vestry hall, or other chief local office during the hours in which such offices are open for the transaction of the ordinary business conducted at such office, and at the registration officer's official place of business.

Persons to have copy for 5*s.*

48. Any person desiring a copy of the register for any division or part of a division to which such register applies may, upon application personally or by letter, have a copy of such register upon prepayment therefor of a sum not exceeding *five shillings* for each such copy.

Cost of list of voters and register of electors to be paid out of the rates.

49. The cost of preparing and printing such list of registered voters, and the official register of voters, shall be paid for out of the rates of the electoral division or part of the electoral division to which such list and registers apply, each separate portion of the division contributing its quota of the cost in proportion to the relative number of registered electors, unless there be a common fund for any such electoral division, in which case the costs shall be defrayed from such common fund.

Copy of register to be sent to Home Office, House of Commons, &c.

50. A copy of each and every such register shall be sent as soon as printed in each year to the Home Office, to the library of the House of Commons, the Registrar-General, and local free libraries, and to the clerks of the peace in the division, by the registration officer for each electoral division of the United Kingdom respectively.

Lists of university voters to be similarly sent.

51. The Vice-Chancellor, Pro-Vice-Chancellor, or Provost of the Universities of Oxford, Cambridge, London, Dublin, Edinburgh and St. Andrews, and Glasgow and Aberdeen, shall cause to be published a complete list of all persons entitled to vote for the respective universities, a copy of which shall in like manner be sent to the Home Office, library of the House of Commons, and to the clerks of the peace, the Registrar-General, and to any local free library which may apply for such.

Removal cards to electors removing after first day of November in each year.

52. Any registered elector who has ceased to reside between the *first day of November* and the *fifteenth day of July* next ensuing in the electoral division for which he is registered as an elector, may, on application to the registration and returning officer or other proper local authority named for that purpose, have a registration card certifying to his being the registered elector therein

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described, upon payment for the same of the sum of *twopence*. Such card to bear the signature of the registration and returning officer, or other proper local authority issuing the same, the name of the electoral division, and the date of issue of such card, in the form given in the Fourth Schedule to this Act; and the said officer shall keep a list of all such removals, and mark the same on the register.

Removal claims to vote.

53. Such registered elector may deposit such card with the registration and returning officer or other proper local authority of the division to which he has removed, and thereupon shall, by making a statutory declaration that he is the registered elector therein described, be entitled to vote for such electoral division.

Proviso as to residence.

Provided that such registered elector shall have resided continuously for three calendar months in the division in which he claims to vote.

Re-removal.

54. Any elector again removing may upon application to the registration and returning officer or other proper local authority with whom the removal card was first deposited, have such card returned to him, duly signed by such officer, giving date of re-issue, upon payment therefor of the sum of *twopence*.

Re-issue of removal card.

55. Such removal card may again be deposited with the registration and returning officer or other proper local authority in the new division to which such registered elector may remove, in the same manner as before mentioned, and such registered elector shall in like manner be entitled to vote in such division:

Provided that the said voter resides in that division for three calendar months.

Refusal to issue removal card to voter.

56. Any registration and returning officer or other proper local authority, or person duly authorised to act on their behalf, who refuses to issue a removal card to the duly registered elector applying for the same, and tendering in payment the amount herein provided in each case, at reasonable hours when the office is open for the transaction of ordinary business, shall be liable to a penalty of *one pound* for such offence: Provided that there be no sufficient cause for refusal or delay:

Penalty.

Proviso.

Proviso.

Provided also, that such removal card as claimed is issued with all convenient speed on the day following, unless there is reason for believing that fraud is attempted in obtaining such card.

Removal card in lieu of one lost.

57. Any registered elector losing his removal card may, upon making a declaration to that effect, and upon payment of *one shilling* for a new card, be entitled to a renewal card in lieu of the one declared to be lost, such card to bear upon its face the date of

issue, the fact of its being a renewal card, and the signature of the registration and returning officer. A.D. 1891.

Personating a voter by use of card.

58. Any person other than the person described using such removal card, or presenting himself and claiming to vote for any duly qualified registered elector, shall be deemed guilty of personation under this Act, and shall, upon conviction, be liable to the penalties herein-after mentioned for such offence.

Fraudulent attempt to obtain or use card.

59. The wrongful using or claiming to use any such lost card, or any attempted fraud by the registered elector in obtaining or seeking to obtain a renewal card, shall be deemed equivalent to the offence of personation, or attempted personation, under this Act.

Fraudulently aiding or abetting attempt to obtain or use card.

60. Any person aiding or abetting or counselling personation or attempted personation under the above section shall likewise be deemed guilty of personation, and shall be subject to the same penalties as would have been inflicted had he been a principal in the offence.

Personation of voting twice at an election.

61. Any person guilty of voting or attempting to vote twice at any election, or who, not being a registered elector, shall represent himself to be the registered elector described on the register, whether at the time such registered elector is living or dead, and as such attempt to personate such registered elector; and any and every person aiding and abetting or counselling the fraud of personation shall be deemed guilty of personation under this Act, and shall, upon conviction, be liable to the penalties herein-after mentioned for such offence.

Returning officer to charge the offender, &c.

62. It shall be the duty of the returning officer to give such person into custody and to prosecute him for personation, or attempted personation, the costs thereby incurred to be charged and paid as part of his official expenses. Any returning officer refusing to give effect to this section shall be deemed guilty of misdemeanour, and shall be liable to a fine of *one hundred pounds*, unless in so declining to act he can give satisfactory reasons for doubting whether he was justified at the time in refusing to give the person into custody, and of prosecuting him:

Proviso.

Proviso; subsequent proceedings.

Provided also that upon considering the case, and finding that it was a case of personation under this Act, he thereupon takes steps to have the guilty person prosecuted, in which case no fine or disability shall be inflicted.

Removing or defacing list of voters, register, or

63. Any person found guilty of unlawfully removing any list of voters, copy of register, or other paper, document, or notice from the place where it is exhibited or deposited in pursuance of this

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other document.

Act, or of mutilating or defacing any or either of them, shall be deemed guilty of an illegal practice within the meaning of this Act, and shall, upon conviction, be liable to a penalty of *twenty pounds*, or to imprisonment for any term not exceeding *six months* with or without hard labour.

PART III.

Appointment of Registration and Returning Officers under this Act.

Registration and returning officers.

64. One and the same person shall act as and fulfil the duties of registration and returning officer in each of the several counties and boroughs or divisions of counties and boroughs in the United Kingdom, and such registration and returning officers shall be appointed as follows:—

Counties, and divisions of counties.

(1.) In counties and divisions of counties, the sheriff of the county or county of city shall appoint duly qualified and fit persons to act as the registration and returning officers for the several divisions of the county over which he has jurisdiction.

Boroughs and cities.

(2.) In municipal boroughs and cities, the mayor, deputy mayor, or alderman appointed by the mayor, shall appoint the registration and returning officer for such municipal borough or city.

Divisions of cities and boroughs.

(3.) In the event of such borough or city comprising several or more than one electoral division, the said registration and returning officers respectively shall be appointed by the mayor, deputy mayor, or alderman aforesaid, for each such electoral division respectively.

City of London.

(4.) In the City of London, the sheriffs shall appoint a duly qualified person to act as registration and returning officer for the said city.

Metropolis other than the city.

(5.) In the several metropolitan parliamentary boroughs and divisions, the sheriffs of Middlesex, Surrey, and Kent respectively shall appoint the registration and returning officer for each such borough and division respectively.

Scotland.

(6.) In Scotland, the sheriff of the county shall appoint the registration and returning officers for the counties and divisions of counties over which he has jurisdiction.

Ireland.

(7.) In Ireland, the sheriff of the county shall appoint the registration and returning officers for the counties and divisions of counties respectively.

Appointment of deputy

(8.) The returning officer in each and every case shall appoint his deputy returning officer, and he shall be held responsible

for the due discharge of all the duties pertaining to such office.

returning officers.

65. Every person called upon to act, and who undertakes to act, as registration and returning officer shall be held responsible for the due and lawful discharge of all the duties of such office, and for seeing that the requirements of the law relating to parliamentary elections are faithfully observed, and otherwise for the proper conduct of the election.

Responsibility of registration and returning officers.

66. No registration and returning officer or deputy returning officer shall act as election agent for any candidate; nor shall any partner in any firm with which he may be connected, or in which he is pecuniarily interested, act as election agent for any candidate for the constituency in which such returning officer presides.

Returning officer or deputy not to act as election agent.

67. The appointment of registration and returning officer shall in each case be subject to the approval of Her Majesty's Principal Secretary of State for the Home Department, by whom also any such appointment may be cancelled in case of misconduct, or for non-fulfilment of duty:

Provided always, that the reasons for such removal from office shall be communicated to Parliament.

Returning officers to be approved by Secretary of State.

68. A return shall be made to the Home Office by the sheriffs of the counties, or other persons as herein-before provided in each year, during the month of January, of the names and addresses of every registration and returning officer for the whole of the divisions of the United Kingdom, and such return shall be laid before Parliament annually.

Return to be made of names, &c. of officers.

69. It shall be the duty of the sheriffs of the counties and cities of counties, and other persons as herein-before provided, to send in such return in the month of January in each year, and any omission to do so shall subject the sheriff or person so offending to a penalty of *one hundred pounds.*

Sheriffs to make such return.

70. The registration and returning officer in each electoral division shall also make a return of the names and addresses of the deputy returning officers appointed by him, which return shall also be laid before Parliament, and any omission to do so shall subject such registration and returning officer to a penalty of *fifty pounds.*

Return of deputy officers.

71. Each registration and returning officer and deputy returning officer shall be appointed within four weeks after the *passing of this Act*, and shall hold office until the *first day of January one thousand eight hundred and ninety-six*,

Registration and returning officer to hold office for five years,

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To retire every fifth year.

72. On the *first day of January one thousand eight hundred and ninety-four*, and on the *first day of January* in each succeeding fifth year thereafter, a new appointment of registration and returning officers shall be made in manner herein-before provided, and subject to the same conditions as to approval by Her Majesty's Secretary of State for the Home Department.

To be re-eligible.

73. Any such registration and returning officer shall be eligible for re-appointment.

He may retire from office upon giving proper notice.

74. A registration and returning officer may retire from office upon giving twenty-eight days notice in writing of his intention so to do to the person or authority appointing him.

He shall vacate his office in certain cases.

75. A registration and returning officer shall vacate his office if—

(*a.*) he accepts or holds any of the offices or positions which he is by this Act prohibited from holding at the date of his appointment;

(*b.*) if he becomes bankrupt, or suspends payment, or files a petition for the liquidation of his affairs, or compounds with his creditors;

(*c.*) if he is found lunatic or become of unsound mind;

(*d.*) if he is concerned in or participates in the profits or any contract with any candidate.

Appointment of registration and returning officer in case of vacancy by death or otherwise.

76. In case a registration and returning officer or deputy registration and returning officer shall die, or cease to hold office, or in case the office shall become vacant at any time other than on the *first day of January one thousand eight hundred and ninety-six* or *first day of January* in any succeeding fifth year as aforesaid, the persons whose duty it is to appoint a registration and returning officer or officers shall, at latest, within one month after such vacancy shall occur, appoint another registration and returning officer or deputy officer, and shall cause such appointment to be advertised in the same manner as is before provided in respect to the appointments of registration and returning officers.

Returning officer, &c. to take oath of secrecy.

77. Every registration and returning officer and deputy officer shall on his appointment take oath or make affirmation that he will truly and duly discharge all the duties of such office, and that he will not disclose any matters pertaining thereto which may violate the secrecy of the ballot, or cause any annoyance or injury to any registered voter, candidate, agent, or other person before, at, and during, or after, any parliamentary election, or during his term of office as registration and returning officer.

Violation of oath, &c. Penalty.

78. Any violation of his oath or affirmation shall subject such registration and returning officer or deputy officer to a fine of *one hundred pounds*, and to an action for the recovery of damages by

any person aggrieved and injured by act, word, or deed on the part of the said officer : A.D. 1891.

Provided that such disclosure was not made in the due exercise of his rights and duties as registration and returning officer or deputy officer in accordance with the requirements of this Act, or other Acts for the time being in force. Proviso.

79. The ballot boxes, seals, and other necessary appliances and appurtenances for taking the votes at parliamentary elections, shall be in the custody of the registration and returning officer for the electoral division for the time being, who shall be held responsible for the safe custody of the same, and for their production for use, in an efficient working order, at the several polling stations for the division on the day and during the hours fixed for taking the votes at an election. Ballot boxes, &c. to be in custody of the returning officer.

80. All letters, diaries, books, papers, memoranda relating to official business, documents, ballot boxes, seals, and all other appliances and appurtenances for taking the votes at parliamentary elections, or belonging to the registration office, which may be in the custody, possession, or power of each registration and returning officer shall, on his ceasing to hold that appointment, be handed over to the registration and returning officer who may be appointed to succeed the said registration and returning officer so ceasing to occupy such office. Registration officer to deliver over all papers and documents to his successor in office.

81. Every registration and returning officer shall keep an account of all moneys received by him for copies of the register of voters or list of claims or parts thereof or otherwise under this Act, and of all moneys which shall have been received by the registration and returning officer under this Act for the purposes thereof, and shall account for and pay over the same to Her Majesty's Treasury. To account to the Treasury for all fees received. Framed on sections 40 & 41 Scotch Act, 24 & 25 Vict. c. 83.

Regulations as to Polling, &c.

82. The returning officer shall assign and regulate the polling stations in and for his electoral division in such way and manner as shall be for the convenience of the electors in the several wards or polling districts constituting such division, so that every voter shall, if practicable, have a polling station within one mile in any borough, and two miles in any county division of his registered residence : Convenient polling stations to be provided.

Provided that he shall not be bound to provide any such polling station for less than one hundred registered electors in any such district, unless any part of the electoral division is detached, and is more than two miles from the nearest polling station, in which case

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a polling station shall be provided for any such detached portion of the division.

Use of schoolroom or public room free of charge for poll.

83.—(1.) The returning officer at a parliamentary election may use, free of charge, for the purpose of taking the poll at such election, any convenient room in any school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any local rate; but he shall make good any damage done to such room, and defray any expense incurred by the person or body of persons, corporate or unincorporate, having control of the same on account of its having been used for the purpose of taking the poll as aforesaid.

(2.) If the returning officer shall use any room in any unoccupied house for the purpose of taking the poll, the owner thereof shall not be liable to be rated or to pay any rate for such house by reason merely that it was hired temporarily for taking such poll.

Conduct of returning officer during election.

84. The returning officer shall see that the polling stations are duly open for taking votes on the day of election, and that there is free access thereto, without let or hindrance, or annoyance, for all registered electors desirous of recording their votes, and entitled to do so at such polling station; and he shall be held responsible for the peaceable conduct of such election; for which purpose he shall be authorised to remove any unauthorised person remaining in the polling station after having recorded his vote, and any person causing an obstruction or annoyance within the precincts of such polling station, or in the near neighbourhood thereof.

Keeping order in polling station, &c.

Returning officer to provide necessaries for the election.

85. The returning officer shall see that each polling station is fitted with adequate compartments for taking the votes; that a sufficient supply of ballot boxes, ballot papers, stamping instruments, and registers are at each polling station; that a presiding officer and poll clerks are duly appointed for each polling station; that a sufficient staff of clerks is employed to take the votes with all due despatch; and that all other things necessary for conducting the election are provided in accordance with this Act.

Counting the votes.

86. The returning officer shall appoint the counting clerks for the proper assorting and counting of the votes given for each candidate at the election.

Returning officer to decide validity of votes, &c.

87. Should any question arise as to the validity of any ballot paper, the returning officer shall decide as to its validity, and for which candidate the disputed vote was intended to be given; and such decision shall be final, unless the candidate, or his agent on his behalf, shall thereupon demand a scrutiny.

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Power of asking questions and administering oath, &c.

88. In the conduct of an election the returning officer, deputy returning officer, and presiding officer appointed by them or either of them, shall have the power of asking the questions and administering the oath authorised by law to be asked or administered to voters, and any justice of the peace and any returning officer may take and receive any declaration authorised or required by this Act to be taken in pursuance of this Act.

Wrongfully refusing, &c. to receive vote.

89. And every returning officer, deputy returning officer, or other officer of election or person whose duty it is to receive, count, certify, report, or give effect to the vote of any voter who wrongfully refuses or omits to receive, count, register, certify, or report, or give effect to the vote of such voter, shall forfeit the sum of *ten pounds* to the party aggrieved by such refusal or omission, to be recovered by action in the county court.

PART IV.

Expenses of Elections.

Returning officer's costs to be paid out of the Consolidated Fund.

90. *The official expenses properly incurred by the registration and returning officer in connexion with his duties as registration officer, or as returning officer, at and concerning any parliamentary election, shall be paid out of the Consolidated Fund, upon a scale to be fixed by the law officers of the Crown, with the approval of Parliament:*

Proviso.

Provided always, that the total amount in each case shall not exceed the maximum sum set forth in the schedule to this Act.

Return of registration charges to be laid before Parliament.

91.—(1.) The expenses incurred in pursuance of the duties of registration officer under this Act, and of all charges pertaining thereto, shall be sent to Her Majesty's Treasury during the month of January in each year, and a return thereof shall be laid before Parliament on or before the *thirty-first day of March* in each year of all charges incurred during each year ending *thirty-first day of December* respectively.

Charges of returning officer to be sent to the Treasury, and published.

(2.) And the amount of charges by the returning officer in respect of any election under this Act shall be sent in to the Treasury within fourteen days of the date of the election, and the amount so claimed and the amount sanctioned and paid by the Treasury shall be stated in the official return of expenses to be published by such returning officer.

Candidates address to be sent post free.

92. Every duly nominated candidate for a seat in Parliament who may go to the poll shall be entitled to send, post free, through the post one copy of his election address to each and every registered

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elector, in a closed envelope, properly addressed to each such registered elector. No other than electoral printed or written matter or communication shall be enclosed in such envelope sent post free as aforesaid. Any infringement of this section shall render the candidate liable to a penalty not exceeding the full amount of postage payable for the delivery of prepaid letters to the total electorate of the division according to the register :

No other matter to be enclosed.

Penalty for infringement.

Proviso.

Provided always, that the candidate or his agent, or other authorised person acting on his behalf, was in any way privy to such infringement of this section, but not otherwise.

Willfully and knowingly infringing the law.

93. If any person shall wilfully and knowingly place in any such envelope containing the candidate's election address any communication of any kind other than the authorised printed or written electoral matter, he shall be guilty of a misdemeanour, and shall, on conviction, be liable to *three months* imprisonment with or without hard labour.

Official envelopes to be used.

94. The envelopes for the purposes of this portion of the Act shall be official envelopes in the form given in the schedule, and shall be supplied to the returning officer by the Postmaster-General through some one post office in the electoral division, and the returning officer shall deliver either to the candidate direct or to his accredited agent, on personal application being made for the same, a sufficient number of such official envelopes, upon giving notice in writing of the total number required according to the register, and depositing with such returning officer a sum equivalent to the total cost of prepaid postage, which amount, without deduction, unless otherwise provided, shall be returned to the candidate or his accredited agent immediately after the election.

Forfeiture of cost of postages by bogus candidates.

95. Should such candidate fail to go to the poll, or should he only obtain such an insignificant number of votes as to justify the belief that his candidature was not bonâ fide, then the amount deposited with the returning officer shall be forfeited to the revenue of the post office :

For the purposes of this section, the failure to obtain the votes of one-eighth of the total number of the votes given at such election shall be deemed " an insufficient number of votes."

Poll card to be sent by returning officer.

96. The returning officer for the division shall cause to be sent to every registered elector, two clear days before the day of election, a polling card stating thereon the names of the several candidates, in alphabetical order, the number of such elector on the register, the date and day of the election, the polling station where such elector shall record his vote, whether entitled to vote for more than

one candidate, the mode of voting, and the hours during which the ballot box will be open for receiving the votes of the electorate in the division, in the form given in the schedule.

Post free.

97. Such polling card shall be delivered post-free at the address of every registered elector, and no other than the official polling card shall be sent by any person whatsoever to any elector.

Costs of polling card.

98. The cost of printing and addressing the polling cards shall be part of the official expenses of the returning officer.

Expenditure of candidate.

99. All other lawful expenditure shall be borne by each parliamentary candidate respectively, but the total amount of such expenditure shall not exceed in any case the maximum sum stated in the schedule.

Excessive expenditure.

100. Any candidate proven to have expended, or sanctioned the expenditure, of more than the maximum sum given in the schedule to this Act, shall be deemed guilty of an illegal or corrupt practice, as the case may be, and shall, upon conviction, be subject to the several pains and penalties, or any of them, herein-after mentioned for such illegal or unlawful expenditure under the several sections pertaining to illegal or corrupt practices respectively.

Penalties. Section.

Return of expenses.

101. The election agent of the candidate shall make a full and complete return to the returning officer of all expenditure incurred during the election, setting forth, in manner prescribed in the schedule, the several amounts paid or in dispute under their proper heads, such return, with all vouchers, to be transmitted to the returning officer within thirty-five days of the date when the candidates at such election are declared elected.

PART. V.

Illegal and Corrupt Payments and Practices.

Canvassing by hired persons illegal.

102.—(1.) The employment of hired canvassers, or of any person or persons hired in any other capacity who shall or do act as canvassers, or who do actually canvass for votes at an election, or in anticipation of an election, shall be deemed an illegal practice; and the candidate or agent of the candidate who employs or sanctions the employment of any such hired canvasser, or any person or persons who do actually canvass on behalf of any candidate;

(2.) Or who shall permit or suffer any person or persons in, near, or about the polling station to solicit or inquire, or do any act or thing to ascertain or endeavour to ascertain how or for whom such voter is about to vote or has voted, shall be guilty of an illegal

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practice. Provided always, that the agent or sub-agent of the candidate may, in the exercise of his duties, do as regards entry to the polling stations that which is lawful for the candidate personally to do, but not otherwise.

Canvassing by persons likely to unduly influence.

103.—(1.) Any person being a rate collector, collector of rents, landowner, or owner of house property, bailiff or agent for any owner of lands or house property in the electoral division, or any employer, member of a firm, partner in a concern, or shareholder in any company whose business is situate in the division, or any overlooker, foreman, deputy-foreman, or other person in any similar capacity or in authority who shall canvass for votes among ratepayers, tenants, employés, or others likely to be unduly influenced by any such canvass, shall be deemed guilty of an illegal practice.

Canvassing by magistrates, police, &c. prohibited.

(2.) No stipendiary magistrate, justice of the peace, commissioner, receiver, or clerk to the peace, or policeman, commissioner or assistant commissioner of police, or chief, head, or other constable, shall by word, message, writing, or in any other manner persuade, or endeavour to persuade, any elector to give, or dissuade any elector from giving his vote for the choice of any person to be a member to serve in Parliament for any county or borough, or division of a county or borough; and any of the persons aforesaid who shall be proven to have offended against this section shall be liable, at the instance of a suer, to a fine of *one hundred pounds.*

Payment, &c. for conveyance to the poll illegal.

104. No payment, contract for payment, or valuable consideration in lieu of payment, shall be made or promised for the purpose of procuring the election of a candidate at any election, on account of the conveyance of any elector to or from the poll, whether for the hire of horses, carriages, or other vehicle, or for railway or other fares, or otherwise; or for the loan of horses or conveyances at, during, or in connexion with any parliamentary election.

Letting, lending, or employing conveyance, &c. illegal.

105. A person shall not let, lend, or employ, for the purpose of conveying any elector to or from the poll, any public stage or hackney carriage, or any other carriage or vehicle of any sort whatever, or any horse or other animal kept or used for drawing the same; and if he lets, lends, or employs such carriage or other vehicle, or any horse or other animal, knowing that it is intended to be used for the conveyance of electors to or from the poll, he shall be guilty of an illegal practice.

Hiring, borrowing, or using conveyances, &c. illegal.

106. A person shall not hire, borrow, or use any carriage or other vehicle, or any horse or other animal, for the purpose of conveying voters to or from the poll; and if he does so, he shall be deemed guilty of an illegal practice:

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Provided (1) that nothing in this Act shall prevent any elector using his own conveyance when going to and returning from the poll for the purpose of recording his vote and taking with him on that occasion any elector then going to record his vote, but not otherwise: Use of own conveyance not illegal.

(2.) Provided also, that any one person, or two or more persons jointly, may hire any conveyance lawfully licensed for hire, for his or their own use to take him or them to and from the poll, but each such person shall pay for himself his full proportion of the expense so incurred; and no other voter than those subscribing as aforesaid shall be conveyed by or in any such conveyance: Hiring for own personal use not illegal.

(3.) Provided also, that where the nature of a county or division of a county is such that any electors residing therein cannot reach their polling station without crossing the sea, or a branch or arm of the sea, the provisions of this Act shall not prevent provision being made for conveying such voters to their polling station; the amount of payment for such means of conveyance shall be separately stated in the candidate's return of expenses, and may be in addition to the maximum allowed by this Act. Conveyance of voters by sea in certain case.

107. Subject to such exception as may be allowed by and in pursuance of this Act, if any payment, contract for or promise of payment, or promise of valuable consideration is made in contravention of this Act, either before, during, or after an election, the person making such payment, contract, or promise, shall be deemed guilty of an illegal practice; and any person receiving payment, or knowingly being a party to any contract for a promise of payment, or promise of valuable consideration in contravention of this Act, shall be deemed guilty of an illegal practice. Illegal payments to be an illegal practice.

108.—(1.) No payment, contract for, or promise of payment, or promise of valuable consideration shall, for the purpose of promoting or procuring the election of a candidate at any election, be made to an elector, or to any other person whatsoever; Payment or promise of payment for:

(2.) On account of the use of any house, land, building, or premises for the exhibition of any address, placard, bill, notice, or on account of the exhibition of any address, placard, bill, or notice, or to any voter acting as boardman, or for displaying placard or other notice as above; Exhibiting bills, &c.

Provided that where the ordinary business of an elector is that of an advertising agent or bill poster, and he exhibits the bills, &c. in the course of his lawful, ordinary, and regular business, in which case this section shall not apply; Proviso.

(3.) On account of bands of music, processions, torches, flags, banners, cockades, ribbons, or other marks of distinction; Bands of music, flags, &c.

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Proviso.

Provided that the issue of a differently coloured bill or placard by each candidate respectively, to distinguish his announcements from that of other candidates, shall not be deemed to be in contravention of this section;

Committee rooms in excess of number allowed.

(4.) On account of the use of any house, building, premises, or room, for the purpose of being used as a committee room, in excess of the maximum number allowed in the schedule to this Act; or

(5.) On account of any expenditure beyond the amount limited by this Act, or barred by this Act.

Any infringement of this section shall be deemed an illegal practice.

Corrupt withdrawal of candidate.

109. Any person who corruptly induces or procures any other person to withdraw from being a candidate at an election, in consideration of any payment or promise of payment or valuable consideration, and any person who is a party thereto; and any person withdrawing in pursuance of such inducement, procurement, or promise, shall be guilty of an illegal practice.

Publishing false statement of withdrawal.

110. Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate, or influencing the votes of the electors, shall be guilty of an illegal practice.

Illegal employment.

111. No person shall, for the purpose of promoting or procuring the election of a candidate at any election, be engaged or employed for payment or promise of payment, or promise of valuable consideration, for any purpose or in any capacity whatever, except for any purposes or capacities mentioned in the schedules to this Act, or except so far as payment is authorised by this Act.

Persons illegally employing or being employed.

112. Subject to such exception as may be allowed in pursuance of this Act, if any person is engaged or employed in contravention of this Act, either before, during, or after an election, the person engaging or employing him shall be deemed guilty of an illegal practice, and the person so engaged or employed shall also be deemed guilty of an illegal practice, if he in any way knew that such engagement or employment was contrary to law.

Illegal hire of committee rooms.

113. The hire and use of any room as committee room in each and all of the following cases shall be an illegal hiring:—

Licensed houses.

(1.) Any premises on which the sale by wholesale or retail of any intoxicating liquor is authorised by licence (whether the licence be for consumption on or off the premises), or

Club or association.

(2.) Any premises where any intoxicating liquor is sold or is supplied to members of a club, society, or association, or

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(3.) Any premises whereon refreshment of any kind, whether food or drink, is ordinarily sold for consumption on the premises; or

Refreshment houses.

(4.) The premises of any school in receipt of a parliamentary grant, or any part of such premises.

Elementary school.

114. The hire or use of any such room in any of the premises before mentioned, for the purpose of promoting or procuring the election of a candidate at any election, shall be deemed an illegal practice; and the person who hires or uses any such premises or part thereof for a committee room, and the person letting or lending such premises or part thereof, if he knew that it was intended to be used as a committee room, shall be deemed guilty of an illegal practice.

Hiring or letting such rooms illegal.

115. The use of any such licensed house, premises, or part thereof, for any meeting to promote the election of any candidate, except it be for a public meeting, with free access to the same by the electors of the division in which it is situate, and is held in a room which is ordinarily let and used for the purpose of holding public meetings or arbitrations, or in which chambers or offices are set apart for such purposes at all times other than at parliamentary elections, shall be deemed an illegal practice:

Rooms for public meetings.

Provided always, that no intoxicating drinks shall be sold or supplied in the room where any such meeting as before mentioned is being held during such meeting, any violation of which proviso shall be deemed an illegal practice under this Act.

No intoxicants to be sold or supplied.

116.—(1.) Every bill, placard, poster, notice, or other printed or lithographed paper or matter, having reference to an election shall bear upon the face thereof the name and address of the printer and publisher; and any person printing, publishing, or posting, or causing to be printed, published, or posted any such bill, placard, poster, or other printed or lithographed paper or matter, aforesaid, which fails to bear upon the face thereof the name and address of the printer and publisher, shall be deemed guilty of an illegal practice.

Bills and records, &c. to bear name of printer.

(2.) And any person supplying the matter for and inducing the printer to print such publication without having thereon the name and address of such printer, shall be deemed guilty of an illegal practice.

Persons supplying matter, &c. for such bill, &c.

117. If any person votes or induces or procures any other person to vote at any election, knowing that such person is prohibited, whether by this Act or any other Act for the time being in force, from voting at such election, he shall be deemed guilty of an illegal practice.

Voting of prohibited person.

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Payment of election expenses through agent.

118. Except as permitted by or in pursuance of this Act, no payment and no advance or deposit shall be made by a candidate at an election, or by any agent on behalf of the candidate, or by any other person at any time, whether before, during, or after such election, in respect of any expenses incurred or to be incurred on account of or in respect of the conduct and management of such election otherwise than by or through the candidate, or the election agent of such candidate, whether acting in person or by a sub-agent; and all money provided by any person other than the candidate for any expenses incurred on account of or in respect to the conduct and management of the election, whether as gift, loan, advance, or deposit, shall be paid to the candidate or to his election agent, and not otherwise.

Proviso.

(1.) Provided that this section shall not be deemed to apply to the returning officer, nor to any person, for any small expense legally incurred by himself, if such small sum be paid out of his own pocket, and is not then or afterwards repaid to him.

Proviso.

(2.) Provided also that the total disbursements of such small sums shall not in the aggregate bear the semblance to corrupt or illegal expenditure, or show any concerted action on the part of any two or more persons.

Illegal payment.

A person who makes any payments, advance, or deposit in contravention of this Act, or pays any money so provided, shall be deemed guilty of an illegal practice.

Payment in excess of maximum.

119.—(1.) Subject to such exception as may be allowed in pursuance of this Act, no sum shall be paid, and no expense shall be incurred by a candidate at an election, or by his agent, whether before, during, or after an election, on account of or in respect to the conduct or management of such election, in excess of the maximum amount in that behalf, specified in the schedule to this Act.

By any person an illegal practice.

(2.) And any person, candidate, or election agent, who knowingly acts in contravention to this Act, shall be deemed guilty of an illegal practice.

Providing money for illegal purposes or in excess of maximum amount, an illegal practice.

120. Where any person knowingly provides money for any payment, which is contrary to the provisions of this Act, or for any expenses incurred in excess of the maximum amount allowed by this Act, or for replacing any money expended in any such payment or expenses, except where the same may have been allowed in pursuance of this Act, such person shall be deemed guilty of an illegal practice.

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Every payment to be vouched.

121. Every payment made by an election agent, whether by himself or a sub-agent, in respect of any expenses incurred on account of, or in respect to the conduct and management of an election, shall, except where less than *forty shillings*, be vouched for by a bill stating the particulars, and by a receipt.

Claim to be sent in within fourteen days.

122. Every claim against a candidate at an election, or his election agent in respect of any expenses incurred on account of or in respect of the conduct or management of such election, which is not sent in to the election agent within fourteen days after the day on which the candidates returned are declared elected, shall be barred, and shall not be paid, subject to such exception as may be allowed in pursuance of this Act; and the election agent who pays any claim in contravention of this enactment, shall be deemed guilty of an illegal practice.

All payments to be made within twenty-eight days.

123. All expenses incurred by or on behalf of a candidate at an election, and which are incurred on account of or in respect of the conduct and management of such election, shall be paid within twenty-eight days after the day on which the candidates returned are declared elected; and subject to such exception as may be allowed in pursuance of this Act, the election agent who makes a payment in contravention of this provision, shall be deemed guilty of an illegal practice.

Relief to candidate.

124. Where the election court reports that it has been proved to the satisfaction of such court that any payment made by an election agent in the contravention of this section was made without the sanction, connivance, or knowledge of the candidate, the election of such candidate shall not be void, nor shall he be subject to any incapacity under this Act, by reason only of such payment being made in contravention of this section.

Disputed claims.

125. If the election agent disputes any claim sent in to him, and refuses or fails to pay such claim in that account within the said specified period of twenty-eight days, such claim shall be deemed a disputed claim.

Order of court.

126. Any payment thereafter made by order of any competent court shall be deemed to have been made in pursuance of this Act, and shall exempt the candidate and agent from the provisions of this Act, in so far as they relate to such claims.

Leave by High Court or county court.

127. On cause being shown to the High Court or county court, such court may on application by the claimant, or by the candidate, or his election agent, by order give leave for the payment of the amount so claimed, although sent in after the specified time, or was

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disputed; and any sum so paid by the candidate, or his agent, shall be deemed to have been paid in compliance with the provisions of this Act.

Provided that where the disputed or too late claim is for an amount not exceeding *twenty pounds*, and the total of all such claims does not exceed *sixty pounds*, the application may be made to the county court of the district, and the said court may, on cause shown, by order give leave for the payment of the amount claimed.

Return of election expenses within thirty-five days.

128. Within thirty-five days after the day on which the candidates returned at an election are declared, the election agent of every candidate at that election shall transmit to the returning officer a true return, in the form and manner by this Act provided, of all payments made by the election agent and by the candidate, together with all the bills and receipts; the amount of personal expenses, if any, and of all other payments made by the candidate in respect of the election, together with a statement of all disputed claims of which the election agent is aware; of all unpaid claims, if any, in respect of which application has been or is about to be made to the High Court or county court; and of all money, securities, and equivalent of money received by the election agent from the candidate or from any other person for the purpose of expenses incurred or to be incurred on account of or in respect of the conduct or management of the election, with the name of every person from whom such money may have been received by such election agent.

Declaration by election agent.

129. The return so transmitted to the returning officer shall be accompanied by a declaration made by the election agent before a justice of the peace respecting the election expenses, in the form set forth in the schedule to this Act.

Declaration by candidate.

130. At the same time, or within seven days thereafter, the candidate shall transmit or cause to be transmitted, a declaration made before a justice of the peace in the form set forth in the schedule to this Act.

Declaration by candidate when his own election agent.

131. Where the candidate has named himself as his election agent, he shall make a return similar in all respects to that which should have been made by the election agent appointed by him, accompanied by a declaration made before a justice of the peace respecting the election expenses as set forth in the schedule to this Act.

Failure to make return an illegal practice.

132. If without such lawful and authorised excuse as is in this Act mentioned, a candidate or an election agent fails to comply with the requirements of this section, he shall be deemed guilty of an illegal practice.

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If failure due to others, candidate exonerated.

133. Where it appears to the court that any person being or having been an election agent or sub-agent has refused or failed to make such return or supply such particulars as will enable the candidate and his election agent respectively to comply with the provisions of this Act as to the return and declaration respecting the election expenses, the court shall order the person refusing or failing to make return or supply particulars to attend before the court, and on his attendance shall, unless he shows cause to the contrary, order him to make the return and declaration or to deliver a statement of the particulars required to be contained in the return, as to the court shall seem just, and to make and deliver the same within such time and to such person and in such manner as the court may direct, or may order him to be examined in respect to such particulars, and may in default of compliance with any such order inflict a fine not exceeding *five hundred pounds,* which fine shall be in lieu of, not in addition to the penalties herein-after mentioned, imposed for any infringement of this Act, unless it shall appear that such person was otherwise guilty of an illegal or corrupt practice.

Fine for non-compliance with order of court.

Exemption of candidate or election agent from penalties.

134. If it shall appear to the court that failure to make the return and declaration by the candidate and his election agent required by this Act, was due to the non-compliance of other persons over whom he or they had no control, the court may thereupon exempt the candidate and his election agent or either of them from the penalties for illegal practices mentioned in this Act; or

Exemption in case of illness or death.

135. If it shall appear that such failure to comply with the provisions of this Act was due to illness or death in any case, then the court may exempt the candidate or his election agent from the penalties for illegal practices mentioned in this Act; or

Relief by court in certain cases.

136. If it shall appear to the court that the failure was due to any legitimate cause which led to delay beyond the time limited by this Act, then the court shall have power to grant relief for a specified time, upon surety being given to the satisfaction of the court that the order in respect thereto will, without further delay, be complied with.

Failure to transmit return after expiration of leave given.

137. Where after the date at which the return respecting election expenses is herein provided to be transmitted, leave is given by the High Court or county court of the district for any claims to be paid, the candidate or his election agent shall within seven days after the payment thereof, transmit to the returning officer a return of the sums paid in pursuance of such leave, accompanied by a copy of the order of the court giving leave, and in default he shall be

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deemed to have failed to comply with the requirements of th i section, without such authorised excuse as is in this Act provided.

Members sitting and voting after date for transmitting return, &c. liable to penalty of 100*l.*

138. If in the case of an election for any county or borough, or division of a county or borough, the return and declarations as to the election expenses are not returned to the returning officer before the expiration of the time limited by this Act, the candidate shall not, after the expiration of such time, sit or vote in the House of Commons as member for that county, borough, or division of county or borough, until either such return and declarations have been transmitted, or until the date of the allowance of such authorised excuse for the failure to transmit the same as in this Act mentioned; and if he sits or votes in contravention of this enactment, he shall forfeit *one hundred pounds* for every day on which he so sits or votes to any person who sues for the same.

Claim of election agent.

139. So far as circumstances admit, this Act shall apply to a claim for his remuneration by an election agent, and to the payment thereof, in like manner as if he were any other creditor, and if any difference arises respecting the amount of such claim, the claim shall be a disputed claim within the meaning of this Act, and be dealt with accordingly.

Taxation of claim against candidates.

140. If any action is brought in any competent court to recover a disputed claim against a candidate at an election, or his election agent in respect of any expenses incurred on account or in respect of the conduct or management of such election, and the defendant admits his liability, but disputes the amount of the claim, the said amount shall, unless the court on the application of the plaintiff in the action otherwise directs, be forthwith referred for taxation to the master, official referee, registrar, or other proper officer of the court, and the amount found due on such taxation shall be the amount to be recovered in such action in respect of such claim.

Saving for creditors.

141. The provisions of this Act prohibiting certain payments and contracts for payments, and the payment of any sum and the incurring of any expense in excess of the maximum allowed by this Act, shall not affect the right of any creditor who, when the contract was made or the expense incurred, was ignorant of the same being in contravention of this Act.

Provided that such payment or contract for payment, was not for any purpose mentioned in this Act as an illegal payment, or for any illegal or corrupt practice under this Act.

Intimidating, threatening, or injuring a voter at any meeting or time pending

142. Any person or persons who by himself or others prevents by force, intimidation, or threat, any voter who is lawfully entitled to vote from giving his support or advocacy in a legal manner at any meeting called or held by, or on behalf or in the interest of any

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candidate, or in favour of the election of any lawfully qualified person to serve as a member in Parliament, and any person or persons who by himself or others injures any voter in person or property on account of such support or advocacy, or in case of conspiracy of one or more persons engaged therein, do or cause to be done any act or furtherance of the object of such conspiracy whereby the voter is injured in his person or property or deprived of having or exercising any right or privilege of a voter as aforesaid, shall be guilty of an illegal practice, and the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation against any one or more of the persons so acting or conspiring.

an election or otherwise to be an illegal practice.

143. Every person who having a knowledge that any of the wrongs conspired to be done and mentioned in the preceding section are about to be committed, and having power to prevent or aid in preventing the commission of the same, neglects or refuses so to do, shall, if such wrongful act be committed, be guilty of an illegal practice, and shall be liable to the party injured or his legal representatives for all damages caused by any wrongful act which such person by reasonable diligence could have prevented, and such damages may be recovered, and any number of persons guilty of such wrongful neglect or refusal may be joined as defendants in the action, but no action under the provisions of this Act shall be sustained which is not commenced within one year after the cause of action has accrued.

Persons neglecting to prevent such intimidation and damage to be also guilty of an illegal practice.

144. If any candidate or his election agent, or any person with his knowledge or consent, shall prevent by force, intimidation, or threat, any voter who is lawfully entitled to vote and giving his support or advocacy in a legal manner at any meeting called or held by or on behalf or in the interest of any candidate to serve as a member in Parliament, or to injure any voter in person or property on account of such support or advocacy, he shall be deemed guilty of an illegal practice.

If any candidate shall do any such prohibited act it shall be an illegal practice.

145. Subject to the exceptions and provisoes herein contained:

(1.) Any person found guilty of an illegal practice, whether under the foregoing sections or under other provisions of this Act, shall, on summary conviction, be liable to a fine not exceeding *one hundred pounds*, and be incapable during a period of *five years* from the date of his conviction, of being registered as an elector or voting at any parliamentary election, whether held for or within the county or borough in which the illegal

Illegal practices by any person, fine of 100*l.* and loss of vote for seven years.

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practice was committed, or elsewhere in any part of the United Kingdom.

If by agent or sub-agent, fine of 100*l.* and loss of seat.

(2.) If committed by any duly authorised agent or sub-agent of the candidate, in addition to the fine of one hundred pounds inflicted upon the person committing the offence, the election shall be declared void, and the candidate shall not be capable of being elected to or sitting in the House of Commons during the Parliament for which the election was held; or

If by candidate, fine of 100*l.* and loss of seat for seven years.

(3.) If committed by the candidate, or by his knowledge and consent, the election shall be declared void, and such candidate shall, in addition to the payment of *one hundred pounds*, be held not capable of being elected to or of sitting in the House of Commons for *seven years* from the date of the report.

Proviso.

(4.) The foregoing penalties shall not be in addition to nor in lieu of any other penalties or incapacities imposed by and in pursuance of the provisions of this Act.

Corrupt Practices.

Personation or aiding and abetting personation. 35 & 36 Vict. c. 33.

146. Any person found guilty of personation or attempted personation, and every person aiding and abetting, or counselling the fraud of personating a voter, shall be deemed guilty of a corrupt practice under this Act.

Treating.

147. Any person who corruptly, by himself or by any other person, either before, during, or after an election, directly or indirectly gives or provides, or pays wholly or in part the expense of giving or providing any meat, drink, entertainment, or provision to or for any person for the purpose of corruptly influencing that person or any other person to give or refrain from giving his vote at an election to or for any candidate, or on account of such person or any other person having voted or refrained from voting at such election for any candidate, shall be deemed guilty of treating; and every person found guilty of treating under this section shall be deemed guilty of a corrupt practice under this Act.

To be a corrupt practice.

Being treated.

148. And any elector who corruptly accepts or takes any such meat, drink, entertainment, or provision, as defined by the preceding section, shall also be deemed guilty of a corrupt practice under this Act.

Undue influence.

149. Every person who shall directly or indirectly, by himself or by any other person on his behalf, make use of or threaten to make use of any force, violence, or restraint, or inflict or threaten to inflict, by himself or by any other person on his behalf, any temporal or spiritual injury, damage, harm, or loss upon or against any person, in order to induce or compel such person to vote or

refrain from voting, or from giving his support or advocacy in a legal manner at any meeting called or held by, or on behalf, or in the interest of any candidate at an election, or on account of such person having voted or refrained from voting at any election, or who shall by abduction, duress, or any fraudulent device or contrivance, impede or prevent the free exercise of the franchise of any elector, or shall thereby compel, induce, or prevail upon any elector either to give or to refrain from giving his vote at any election, shall be deemed guilty of undue influence.

To be a corrupt practice.

150. And every person found guilty of undue influence under this section shall be deemed guilty of a corrupt practice under this Act.

Bribery, &c.

151. Every person who shall, directly or indirectly, by himself or by any other person on his behalf, give, lend, or agree to give or lend, or shall offer, promise, or promise to procure or to endeavour to procure, any money or valuable consideration to or for any voter, or to or from any person on behalf of any voter, or to or for any other person, in order to induce any voter to vote for any candidate, or to refrain from voting, or shall corruptly do any act as aforesaid on account of such voter having voted or refrained from voting at an election.

Procurement of office or employment, &c.

152. And every person who shall, directly or indirectly, by himself or by any other person on his behalf, give or procure, or agree to give or procure, or offer, promise, or promise to procure, or endeavour to procure, any office, place, or employment to or for any voter, or to or for any person on behalf of any voter, or to or for any other person in order to induce such voter to vote or refrain from voting, or shall corruptly do any such act as aforesaid on account of any voter having voted or refrained from voting at any election.

Gift, loan, or promise of gift or loan, &c.

153. And every person who shall, directly or indirectly, by himself or by any other person on his behalf, make any such gift, loan, offer, promise, procurement, or agreement as aforesaid, to or for any person, in order to induce such person to procure or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election.

Person corruptly aiding the return of candidate.

154. And every person who shall, upon or in consequence of such gift, loan, offer, promise, procurement, or agreement, procure or engage, promise, or endeavour to procure the return of any person to serve in Parliament, or the vote of any voter at any election.

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Person supplying money, &c. corruptly to return a candidate.

155. And every person who shall advance or pay, or cause to be advanced or paid, any money to or to the use of any other person with the intent that such money or any part thereof shall be expended in bribery at any election, or who shall knowingly pay or cause to be paid any money to any person in discharge or repayment of any money wholly or in part expended in bribery at any election shall be deemed guilty of bribery and corrupt practices under this Act:

Proviso as to lawful expenditure.

Provided always that the aforesaid sections shall not extend or be construed to extend to any money paid or agreed to be paid for or on account of any legal expenses bonâ fide incurred at or concerning any election.

Person corruptly receiving money, &c. to vote.

156. Every voter who shall, before or during any election, directly or indirectly, by himself or by any other person whatsoever on his behalf, receive or agree to receive, or contract for any money, gift, loan, or valuable consideration, office, place, or employment for himself or for any other person, for voting or agreeing to vote or for refraining or agreeing to refrain from voting at any election.

Person corruptly receiving money, &c. for voting.

157. And every person who shall after any election, directly or indirectly, by himself or by any other person on his behalf receive any money, gift, loan, or valuable consideration, office, place, or employment on account of having voted, or on account of any other person having voted or refrained from voting, or having induced any other person to vote or refrained from voting at any election:

Guilty of corrupt practices.

Shall be deemed guilty of bribery and corruption under this Act, and shall be subject to the penalties for a corrupt practice under the provisions of this Act.

Corrupt payment of rates or rent or remission of rent.

158. Any person who shall, either directly or indirectly, corruptly pay or promise to pay any rate on behalf of any ratepayer, or shall pay or remit any rent to, for, or on behalf of any registered elector, for the purpose of inducing him to vote or refrain from voting at any election, or on account of having voted or refrained from voting at any election, shall be deemed guilty of bribery and corruption.

Corruptly receiving, &c.

159. And any person who shall knowingly receive or be privy to any payment or remission aforesaid, either for himself or for any other person, shall also be deemed guilty of bribery and corruption.

Corruptly paying fee, &c. to or for university voter.

160. Any candidate or other person who shall, either directly or indirectly, corruptly pay, promise to pay, or cause to be paid any fee for the purpose of enabling any person to be registered as a voter for any university, and thereby to influence his vote at any future election; and any candidate or other person who shall, either directly or indirectly, pay, promise to pay, or cause to be paid

Corruptly cognizant of such payment.

such fee on behalf of any person for the purpose of inducing him to vote or refrain from voting; and any person on whose behalf and with whose privity any such payment or promise of payment is made, shall be deemed guilty of a corrupt practice under this Act.

Penalty one year's imprisonment and fine of 200*l.*

161. Subject to the exceptions and provisoes contained in this Act:

(1.) Any person found guilty of a corrupt practice under this Act, whether under any of the foregoing sections or under any other provisions of this Act, shall be guilty of a misdemeanour, and on conviction, either on indictment or before an election court, shall be liable to be imprisoned, with or without hard labour, for a term not exceeding *one year*, or to be fined in any sum not exceeding *two hundred pounds*.

Loss of vote for seven years.

(2.) And, in addition to any punishment as above provided, such person shall be incapable of being registered as an elector, or, being on the list of registered electors, of voting at any election in the United Kingdom, whether it be a parliamentary or municipal election, or an election for any public office, during a period of *seven years* from the date of his conviction; or

Incapacitated from holding office.

(3.) Of holding any public or judicial appointment or office, whether within the meaning of this Act, or of any Act for the government of municipal or other local institutions, and if he holds any such office, such office shall be vacated; or

Justice of the peace to be removed from commission of the peace.

(4.) If a justice of the peace, the Lord Chancellor shall remove his name from the list of such justices, and he shall not thereafter be placed upon any commission of the peace; or

Barrister or solicitor or professional men to be subject to other disabilities.

(5.) If a barrister or solicitor, or he holds any appointment in or belongs to any profession, the admission to which is regulated by law, the tribunal for dealing with the conduct of its members shall take cognizance of his misconduct, and shall impose such penalties or disabilities as in the judgment of such tribunal shall meet the justice of the case; and

(6.) If a clerk in holy orders, the bishop of the diocese shall inhibit him from officiating in any parish for a period of *seven years*.

Licensed victuallers, &c. to lose license.

(7.) If a licensed victualler or other licensed person licensed to sell refreshments, and the offence was knowingly committed upon or within his premises, his license shall be revoked, and he shall be declared to be incapable of holding any such license for a period of *seven years*.

Committed by agent, loss of seat for seven years.

(8.) If committed by any duly authorised election agent or sub-agent of the candidate, in the furtherance of such candidate's election, the election shall be declared void, and such candidate shall be incapable of being elected to and of sitting in the

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House of Commons for a period of *seven years* from the date of the conviction of such agent or sub-agent.

Committed by candidate or the election agent, loss of seat for ever.

(9.) If committed by the candidate or by the election agent to a candidate, with the knowledge and consent of such candidate, the election shall be declared void, and the candidate shall be for ever incapable of being elected to or of sitting in the House of Commons; or

Person so guilty not entitled to seat in House of Lords.

(10.) Of being permitted to subscribe the oath, or of sitting in the House of Lords as a peer of the realm.

Corrupt withdrawal of election petition.

162. If any person on behalf of any candidate makes any agreement or terms, or enters into any undertaking, in relation to the withdrawal of an election petition, and such agreement or terms or undertaking is or are for the withdrawal of the election petition in consideration of any payment, or in consideration that the seat shall at any future time be vacated, or in consideration of the withdrawal of any other election petition, or is or are (whether lawful or unlawful) not mentioned in the affidavits laid before the court in respect of such petition, in pursuance of this Act or any other Act, he shall be guilty of a misdemeanour and be deemed guilty of a corrupt practice under this Act.

False declaration.

163. If any candidate, or his election agent, or any registration and returning officer, knowingly makes the declaration required by this Act falsely, he shall be guilty of an offence, and on conviction thereof shall be liable to the punishment for wilful and corrupt perjury, such offence shall also be a corrupt practice within the meaning of this Act, and the person found guilty thereof shall be deemed guilty of a corrupt practice under this Act, and shall be liable to any or all the penalties mentioned in this Act pertaining to such person, and in respect of such offence:

Relief to candidate.

(1.) Provided that where the candidate is out of the United Kingdom at the time when the return so transmitted to the returning officer, and that the reasons for or cause of his absence shall be deemed satisfactory to such returning officer, or to the High Court if the returning officer declines to accept such excuse of absence, the declaration required by this Act may be made by such candidate within fourteen days after his return to the United Kingdom, and in that case shall be forthwith transmitted to the returning officer:

Election agent not exonerated.

(2.) Provided also that the delay hereby authorised shall not exonerate the election agent from complying with the provisions of this Act as to the return and declaration respecting election expenses, in so far as they relate to such election agent.

Employment of person of convicted

164. If on the trial of an election petition it shall appear that the candidate has engaged or employed as his election agent, or

other person for the management or conduct of such election, any person knowing that such person has within seven years of such employment been found guilty of illegal or corrupt practices by any competent legal tribunal, or has been reported guilty of illegal or corrupt practices by a Committee of the House of Commons, or by a report of any judge upon an election petition, or by the report of Commissioners appointed for the purpose, the election of such candidate shall be void.

Illegal or corrupt practices.

Voidance of election.

165. If on the trial of an election petition it shall appear to the court that there was general corruption in the constituency, although specific charges may not have been proved against any person or persons, the court may upon being satisfied that the candidate, either by himself or by his agents, directly or indirectly, committed or connived at any of the corrupt or illegal practices before specified, declare such election void, and may inflict any of the penalties in this Act provided against illegal and corrupt practices, as it may deem just to ensure purity of election.

General corruption or illegal practices to void election and render persons liable to penalties.

166. For the purposes of this Act "any person" shall be deemed to include any society, association, committee, or club, in so far as the provisions thereof apply to illegal or corrupt practices; and any such society, association, committee, or club, and all the members thereof, may be indicted for illegal or corrupt practices in the same way and manner as if done by any person or persons individually:

"Person" to include society, association, committee, or club.

Provided that the exemptions, exceptions, and provisoes herein contained shall in like manner be extended to any and all the members of any such society, association, committee, or club.

Proviso.

PART VI.

Conduct and Management of Elections, Method of Polling, Day of Poll, Returns, &c.

Declaratory Ancient Statutes.

Declaratory elections to be free.

167.—(1.) And because elections ought to be free, the Sovereign commandeth upon great forfeiture, that no man by force of arms, nor by malice, or menacing, shall disturb any, to make free election.

Recital of statutes.

3 Edw. I. Statutes of Westminster, the First, c. 5.

(2.) That election of members of Parliament ought to be free.

Freedom of election.

1 W. & M. Sess. 2. c. 2. s. 8.

(3.) That the freedom of speech and debates or proceedings in Parliament ought not to be impeached or questioned in any court or place out of Parliament.

Freedom of speech.

1 W. & M. Sess. 2. c. 2. s. 9.

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(4.) That for redress of all grievances, and for the amending, strengthening, and preserving of the laws, Parliaments ought to be held frequently.

Frequent Parliaments. 1 W. & M. Sess. 2. c. 2. s. 13.

Interference of peers and prelates in elections. Sessional order.

168. No lord of Parliament, or other peer or prelate not being a peer of Ireland, nor any minister of the Crown, or Crown servant, at the time elected and not having declined to serve in any constituency in Great Britain, shall concern himself in the election of members of Parliament, except only any peer of Ireland at such election in Great Britain where such peer shall appear as a candidate, nor shall any lord lieutenant or governor of any county avail himself of his authority to influence an election, and in case any such person shall interfere in an election on behalf of any candidate under this provision, such person or persons shall be deemed guilty of a corrupt practice under this Act, and shall upon conviction be punished as herein provided, and if done with the knowledge, consent, or connivance of the candidate, such election shall be declared void, and the candidate next on the poll shall, if not similarly implicated, or not found guilty of contravening the provisions of this Act, be declared duly elected for such constituency.

Soldiers to be confined to barracks during election.

169. On every day appointed for the nomination or for the election, or for taking the poll for the election of a member or members to serve in the Commons House of Parliament, no soldier shall be allowed to go out of the barracks or quarters in which he is stationed, unless for the purpose of mounting or relieving guard; and every soldier allowed to go out for any such purpose, and those who may be relieved shall return to his barrack or quarters with all convenient speed as soon as his guard shall have been relieved.

Notice by Clerk to the Crown to Secretary of State for War.

170. When and so often as any election of any member or members to serve in the Commons House of Parliament shall be appointed to be made, the clerk to the Crown in Chancery, or other officer making out any new writ for such election, shall, with all convenient speed after making out the said writ, give notice thereof to the Secretary of State for War, or in case there shall be no Secretary of State for War, to the person officiating in his stead, who shall at the earliest convenient time before the day appointed for such nomination and election, give notice thereof in writing to the general officer commanding in each district of Great Britain and Ireland, who shall thereupon give the necessary orders for enforcing the execution of this Act in all places under his command:

Notice by Secretary of State for War to commanding officer.

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Provided always that nothing in this Act contained shall be deemed to apply to any soldiers attending as the guard of Her Majesty, or any person of the royal family, or to soldiers usually stationed or employed within the Bank of England, or at other public buildings under the sanction of the War Office.

Proviso as to mounting guard, &c.

171. In like manner any corps or company of Militia, Yeomanry corps or company, or corps or company of Volunteers, assembled for training, shall be confined to the barracks or quarters where for the time being they are quartered:

Militia, Yeomanry, and Volunteers.

Provided always that any members of such corps or company may be allowed leave of absence by their respective officers for a limited time to go to their respective divisions to record their votes if they or any of them are entitled to vote by reason of being on the authorised list of registered electors for any such division.

Provision as to leave of absence to vote.

172. No person having a right to vote at an election for any county or borough, or division of a county or borough, shall be liable or compelled to serve as a special constable at or during any election for the said division, unless he shall consent so to act; and he shall not be liable to any fine, penalty, or punishment whatsoever for refusing so to act, any statute, law, or usage to the contrary notwithstanding.

Registered elector not to be compelled to serve as special constable.

173. When any act is required to be done as a pre-requisite or qualification for voting, every person charged with the duty of furnishing to voters an opportunity to perform such pre-requisite, or to become qualified to vote, shall give to all voters of the United Kingdom the same and equal opportunity to perform such pre-requisite and to become qualified to vote.

Liability on persons not performing any pre-requisite under this Act.

174. Every person charged with the duty specified in the preceding section who refuses or knowingly omits to give full effect to the section shall forfeit the sum of *ten pounds* to the party aggrieved by such refusal or omission, to be recovered by an action on the case.

Penalty for refusing to give effect to the preceding section.

175. Every person who subjects or causes to be subjected any voter to the deprivation of any rights, privileges, or immunities secured to him by law shall be liable to the party injured in an action.

And liability in civil action to party aggrieved.

176. If two or more persons conspire to prevent by force, or intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under this Act, or from discharging any duties thereof, or to induce by like means any such person to leave any place where his duties under this Act are

Penalties on parties conspiring.

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required to be performed, or to injure his person or property on account of the lawful discharge of his duties, or while engaged in the lawful discharge thereof, or to mislead, interrupt, hinder, or impede him in the discharge of his official duties, the party so injured or deprived may have an action for the recovery of damages occasioned by such injury or deprivation against any one or more of the persons so conspiring.

Penalty on officers appointed under this Act obstructing voter.

177. Every person having powers or duties of an official character to discharge under any of the provisions of this Act who by threats or by unlawful means hinders, delays, prevents, obstructs, or combines and concerts with others to hinder, delay, prevent, or obstruct any voter from doing any act required to be done to qualify him to vote or from voting at any election, shall forfeit the sum of *twenty pounds* to the party aggrieved, to be recovered in action.

Issue and Return of Writ.

Time limited between teste and return of writ.

178. When at any time a new Parliament shall be summoned, or a writ be issued for the election of any member to serve in Parliament, there shall be thirty-five days between the date of issue of the writ or writs, and the return of the writs of summons.

Lord Chancellor to fix date of election and issue writ.

179. The Lord Chancellor, Lord Keeper, or Lord Commissioners of the Great Seal for the time being, shall fix the date of the nomination and election, and issue out the writ or writs for election of members to serve in Parliament, with all expedition, and the several writs shall be delivered to the proper officer to whom the execution thereof doth belong or appertain, and to no other person whatsoever.

Issue of precept for election.

180. Every such officer upon receipt of the said writ shall, upon the back thereof, endorse the day and date when he received the same, and shall forthwith make out the precept or precepts to each county and borough, or division of county or borough within his jurisdiction, where any member or members are to be elected to serve in such new Parliament, or to supply any vacancy during the then existing Parliament.

Delivery of precept to returning officer.

181. Within three days after the said writ of election such officer shall, by himself or proper agent, deliver, or cause to be delivered, such precept or precepts to the returning officer of every such county or borough, or division of a county or borough within

his jurisdiction to whom the execution of such precept doth belong or appertain, and to no other person whatsoever. A.D. 1891.

Returning officer to give public notice of election.

182. Every such returning officer shall endorse upon the back of such precept, the day and date of his receipt thereof, in the presence of the person from whom he received such precept, and he shall forthwith, in manner prescribed and set forth in the schedule, proceed to take measures for expediting the election by giving, or causing to be given public notice of the day of nomination, and the date and place of the election as fixed by the Lord Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal for the time being as the case may be.

Dates of nomination and election.

183. The date of nomination shall not be earlier than the eighth, nor be later than the tenth day from the date of issue of writ, and the day of election shall be on the sixth, or at latest on the seventh day after the day of nomination.

Sundays, &c. not to count.

Provided always that Sundays, Christmas Day, Good Friday, and any public fast or thanksgiving day, are not counted, except as to the time between the date of issue of the writ and the return of the writ of summons, which shall remain at thirty-five days inclusive.

Day of nomination and election to be the same throughout the United Kingdom.

184. The date and day of nomination and of election shall be one and the same in each case respectively, in each and every county and borough, or division of county and borough, throughout the United Kingdom.

Parliament may be summoned within thirty-five days.

185. In case of a dissolution, by royal proclamation or otherwise, Parliament may be summoned to meet within thirty-five days after the date of the proclamation of such dissolution, dating from the day of receipt of writ by the proper officer to whom the execution thereof doth belong or appertain, but not otherwise.

Vacation of Seat.

Member accepting office to vacate his seat.

186. Any person being chosen a member of the House of Commons who shall accept any office of profit from or under the Crown, during such time as he shall be a member, his election shall be and is hereby declared to be void, and a new writ shall issue for a new election, as if such person so accepting was naturally dead.

Proviso as to re-election.

Provided, nevertheless, that such person shall be capable of being again elected as if his place had not become void as aforesaid.

Contractors to the

187. Any person being a member of Parliament who is, or may after his election become, a contractor under Government for the

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Government not to sit or vote.

supply of stores, or commodities of any kind, or who is a member of a firm, or partner, or shareholder in a concern having financial transactions with the Government, or any branch of the Government service, shall be incapable of sitting or voting in Parliament, so long as he derives any pecuniary profit from any such transactions. Should any such person sit and vote, he shall be liable to a penalty of *one hundred pounds* for every such offence under this Act.

Penalty for sitting and voting.

Vacancy after general election, Speaker to issue warrant for new writ.

188. In the event of a vacancy, after any general election, the Speaker, by the authority of the House of Commons, shall issue warrants to the clerk of the Crown to make out a new writ, or new writs, as the case may be, to fill any such vacancy; and

Issue of writ during recess.

Vacancy through death, &c.

189. During the recess, whether by prorogation or adjournment, the speaker shall issue his warrant to the clerk of the Crown to issue a new writ for electing a member of the House of Commons in the room of any member who shall die, or become legally incapacitated by acceptance of office or otherwise, or by having become a member of the House of Peers, upon receiving notice by a certificate, under the hands of two members of the House of Commons of the death of such member or notice of acceptance of office, or being legally disqualified, or that a writ of summons has been issued under the great seal summoning such peer to Parliament:

Proviso as to date of issue of writ and nomination and election.

Provided that in each such case the time limited by this Act shall apply as to date of issue of writ, date of nomination, and date of election, and all other matters pertaining thereto as in the case of a general election.

Member on accepting office to notify the Speaker.

190. In the event of a member of the House of Commons accepting office under the Crown which vacates his seat, it shall be the duty of such member to notify the same to the Speaker without delay.

Bankrupt to vacate his seat in Parliament.

191. If a person being a member of the House of Commons is adjudged a bankrupt, he shall be and remain during *one year* from the date of the order of adjudication incapable of sitting and voting in that House, unless within that time either the order is annulled, or the creditors who prove debts under the bankruptcy are fully paid or satisfied.

Proviso as to disputed claims.

Provided that such debts (if any) as are disputed by the bankrupt shall be considered for the purposes of this section, as paid or satisfied, if within the time aforesaid he enters into a bond, in such sum and with such sureties as the court approves to pay the amount to be recovered in any proceedings for the recovery of or

concerning such debts, together with any costs to be given in such proceedings.

Certificate of bankruptcy to be given by the court to the Speaker, who shall issue new writ.

192. If within the time aforesaid the order of adjudication is not annulled, and the debts of the bankrupt are not fully paid or satisfied as aforesaid, then the court shall, immediately after the expiration of that time, certify the same to the Speaker of the House of Commons, and thereupon the seat of such member shall be vacant, and the Speaker shall issue his warrant to the clerk of the Crown to make out a new writ for electing another member in the room of the member whose seat has so become vacant.

Nomination and Election.

Nomination of candidate to be in writing, &c.

193. A candidate for election to serve in Parliament for a county or borough, or division of a county or borough, shall be nominated in writing; the nomination paper shall be supplied free of cost by the returning officer, and shall be signed by two registered electors of such county or borough, or division of county or borough, as proposer and seconder, and by eight other registered electors of the same electoral division as assenting to such nomination, which nomination paper shall be delivered to the returning officer by the candidate himself or by his proposer or seconder between the hours of eleven o'clock in the forenoon and one o'clock afternoon on the day of nomination.

Declaration of election if no opposing candidate is proposed.

194. If at the expiration of two hours from the time fixed for receiving nominations as aforesaid, no more candidates stand nominated than there are vacancies to be filled up, the returning officer shall forthwith declare the candidate or candidates nominated to be duly elected, and shall return his or their names to the clerk of the Crown in Chancery as being duly elected to serve in Parliament for such constituency.

Adjournment of election for poll.

195. If more candidates stand nominated than there are vacancies to be filled, the returning officer shall adjourn the election, and shall take a poll in manner in this Act mentioned.

Withdrawal of candidate.

196. A candidate may, during the time appointed to receive nominations, but not afterwards, withdraw from his candidature by giving a written notice to that effect signed by himself to the returning officer: Provided that the proposer of a candidate nominated in his absence out of the United Kingdom may withdraw such candidate by a written notice signed by him and delivered to the returning officer, together with a written declaration of such absence of the candidate.

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Death of candidate. Declaration of election.

197. If after the adjournment of an election by the returning officer for the purpose of taking a poll one of the candidates shall die before the poll has commenced, or during the poll, the returning officer may, upon being satisfied of the fact of such death, declare the remaining candidate duly elected; but if there is more than one candidate remaining, the poll shall proceed as if no such death had taken place.

Vacancy caused by death, new writ to issue.

198. In any other case of death during the election of a candidate to sit in the House of Commons, the vacancy caused by such death shall be deemed a vacancy caused by the death of a member, and a new writ shall be issued accordingly.

Polling at Elections.

Votes to be given by ballot.

199. In the case of a poll at an election the votes shall be given by ballot, in manner generally set forth in the Seventh Schedule to this Act. The ballot of each voter shall consist of a paper, herein called a ballot paper, upon which the voter shall make a cross, thus +, opposite the name of the candidate for whom he wishes to vote. He shall then fold the ballot paper up so as to conceal his vote, and shall place it in the closed box, called the ballot box, in the presence of the officer after having shown him the official mark on the back.

Polling stations to be open from 8 a.m. to 9 p.m.

200. The polling stations in every case shall be opened for the purpose of receiving votes at eight o'clock in the morning, and shall be kept open until nine o'clock in the evening; and during the hours between eight o'clock in the morning and nine o'clock in the evening as aforesaid, the ballot boxes shall be open for receiving the vote of every qualified elector desirous of recording his vote, freely and without any obstruction whatsoever.

Ballot boxes to be sealed and taken charge of by returning officer.

201. At the close of the poll the ballot boxes shall be sealed up in the presence of those authorised to be in the polling station, so as to prevent the introduction of additional ballot papers or the abstraction of any that may have been lawfully placed therein, and shall be taken charge of by the returning officer, or his deputy, until the votes are counted.

Ballot boxes to be opened in presence of agents, &c.

202. Immediately preceding the counting, and not before, the ballot boxes shall be opened by the returning officer in the presence of the candidates, or their agents, if either or any of them are in attendance at the time fixed for counting the votes, and the result of the poll shall be ascertained by counting the votes given for each candidate.

Declaration of return by returning officer.

203. The candidate or candidates for whom a majority of the votes have been given shall be declared by the returning officer to

be duly elected to serve in Parliament, and he shall forthwith return such name or names to the clerk of the Crown in Chancery.

Returning officer's decision to be final.

204. The decision of the returning officer shall be final as regards the validity of any ballot paper and with respect to the candidate for whom any vote is given or intended to be given, subject to a reversal on petition questioning the election or return.

Proviso.

Equality of votes, casting vote by the returning officer.

205. In the event of an equality of votes, and the addition of one vote would entitle any candidate to be declared elected, the returning officer may give a casting vote, but otherwise he shall not be entitled to vote at such election.

Recount of votes.

206. Where at the counting of votes any candidate is dissatisfied with the result announced by the returning officer, he may by himself or his election agent demand a recount of the voting papers, and thereupon it shall be the duty of the returning officer to order that the votes be recounted forthwith; but in no case shall the counting when once commenced be adjourned until the following day.

Schedule to be construed with Act.

207. The Seventh Schedule to this Act, the directions therein, and the notes thereto annexed, shall for all the purposes of this Act be regarded as having the same legal effect, and shall be so construed as if the matters therein set forth were severally included in this Part of the said Act.

Offences at elections in respect of nomination paper.

208. Every person who,—

(1.) Forges or fraudulently defaces or destroys any nomination paper, or delivers to the returning officer any nomination paper, knowing the same to be forged; or

Ballot papers.

(2.) Forges or counterfeits, or fraudulently defaces or destroys any ballot paper, or the official mark on any ballot paper; or

Supplying ballot papers.

(3.) Without due authority supplies any ballot paper to any person; or

Fraudulent ballot papers.

(4.) Fraudulently puts into any ballot box any paper other than the ballot paper which he is authorised by law to put in; or

Removing any ballot papers.

(5.) Fraudulently takes out of the polling station any ballot paper; or

Destroying the property of returning officers.

(6.) Without due authority destroys, takes, opens, or otherwise interferes with any ballot box or packet of ballot papers then in use for the purposes of the election;

Penalty for offences.

shall be guilty of a misdemeanour and be liable, if he is a returning officer or an officer or clerk in attendance at a polling station, to imprisonment for any term not exceeding *two years*, with or without hard labour; and if any other person to imprisonment for any term not exceeding *six months*, with or without hard labour.

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Attempt to commit offence punishable.

Any attempt to commit any offence specified in this section shall be punishable in the manner in which the offence itself is punishable.

Returning officer to prosecute.

209. In any indictment or other prosecution for an offence in relation to the several matters pertaining to an election, all properties, &c. shall be held to belong to the returning officer, and he shall prosecute accordingly.

Infringement of secrecy at polling station.

210. Every officer, clerk, agent, and other person in attendance at or permitted to enter the polling station during an election, shall maintain and aid in maintaining the secrecy of voting in such station, and shall not communicate, except for some purpose au horised by law, before the poll is closed any information to any person as to the name or number on the register of voters of any elector who has or has not voted or applied for a ballot paper at that station, or as to the official mark; and no such officer, clerk, agent, or other person, shall interfere or attempt to interfere with a voter when marking his vote, or disclose his vote, or otherwise attempt in the polling station to obtain information as to the candidate for whom any voter has voted or is about to vote.

At counting the votes.

211. Every officer, clerk, agent, or other person in attendance at the counting of votes, shall maintain and aid in maintaining the secrecy of the voting, and shall not attempt to ascertain at such counting the number on the back of any voting paper, or communicate any information obtained at such counting as to the candidate for whom any vote is given at such election.

Penalty.

Every person who acts in contravention of the provisions of this and the preceding section shall be liable, on summary conviction, to imprisonment for any term not exceeding *six months*, with or without hard labour.

Election Agents.

Election agent.

212. On or before the day of nomination at an election, a person shall be named in writing to the returning officer, by or on behalf of each candidate, as his election agent for such election, and the returning officer shall forthwith give public notice of the name and address of every such agent.

Candidate may be his own election agent.

A candidate may name himself as election agent, and thereupon shall, so far as circumstances admit, be subject to the provisions of this Act both as candidate and election agent, and any reference in this Act to lection agent shall apply to the candidate acting as his own election agent.

Appointment of election

213. One election agent only shall be appointed for each candidate, but the appointment, whether of candidate as agent or the

agent named, may be revoked ; in which case, or in the event of the death of the agent, another agent shall be appointed, and his name and address shall be declared in writing to the returning officer, who shall forthwith give public notice of the same. A.D. 1891. agent may be revoked.

214. In the case of elections specified in the schedule to this Act, the candidate or his election agent on his behalf, may appoint sub-agents to act within the division for which he acts as agent for the candidate. Sub-agents.

215. The agent may act by his sub-agent in all or any of such polling districts of the division, and all acts done to or by such sub-agent shall be deemed to have been done to and by the election agent, and any act or default of such sub-agent shall, if contrary to the provisions of this Act, be deemed to have been done by the election agent, and he and the sub-agent shall be liable accordingly ; and the candidate shall suffer the like incapacity as if the said act or default was done by and through the election agent personally. Act of sub-agent deemed act of agent.

216. One clear day before the polling the election agent shall declare, in writing, the name and address of every sub-agent to the returning officer, who shall forthwith give public notice of such appointment, and publish name and address of every sub-agent so declared in the division. Declaration of name and address of sub-agent.

217. The appointment of a sub-agent shall not be vacated by the election agent who appointed him on his ceasing to be the election agent, but may be revoked by the candidate or by his election agent for the time being, in which event, or in the case of death of sub-agent, another may be appointed, and his name and address shall be declared, in writing, to the returning officer, who shall forthwith give public notice of the same, in manner aforesaid. Power to revoke appointment of sub-agent.

218. Every election agent and sub-agent at an election shall have within his district an office or specified place to which all claims, notices, writs, summonses, and documents may be sent, and the address of such office or specified place shall be declared in writing to the returning officer at the same time as the appointment of such agent or sub-agent, and shall be stated in the public notice naming such agent and sub-agent. Agent and sub-agent to have public office, &c.

219. The election agent of a candidate, by himself or sub-agent, shall hire every committee room hired on behalf of such candidate, and shall appoint every polling clerk, messenger, or other person employed for payment on behalf of a candidate at an election. Agent to appoint polling agents, clerks, &c., and hire committee rooms.

220. A contract, whereby any expenses are incurred on account or in respect of the conduct or management of an election, shall not be enforceable against a candidate at such election unless made by Contracts not enforceable unless made by

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candidate or agent.

the candidate himself, or by his election agent, or sub-agent appointed by him:

Proviso.

Provided that the inability to enforce such contract against the candidate shall not relieve him or his agents from the consequences of any corrupt or illegal practice having been committed either by the candidate or agent.

Election Expenses, Payment of, &c.

Personal expenses of candidate.

221. The candidate at an election may pay any personal expenses incurred by him on account of, or in connexion with, or incidental to such election to an amount not exceeding *one hundred pounds;* but any further payments or personal expenses incurred by him shall be paid by his election agent.

Statement to be sent to election agent.

222. The candidate shall send to the election agent, within the time limited by this Act for sending in claims, a written statement of the amount of personal and other expenses paid as aforesaid by such candidate.

Petty expenses by other person authorised.

223. Any person may, if so authorised in writing by the election agent of the candidate, pay any necessary expenses for stationery, postage, telegrams, and other petty expenses, to the total amount not exceeding that stated in the authority, but any excess above the total amount so named shall be paid by the election agent.

Statement thereof to be sent to the election agent.

224. A statement of the particulars of payments made by any person so authorised shall be sent to the election agent within the time limited by this Act for the sending in of claims, and shall be vouched for by a bill containing the receipt of that person.

Authorised excuse for non-compliance with provisions as to return and declaration respecting election expenses.

225.—(1.) Where the return and declarations respecting election expenses of a candidate at an election for a county or borough have not been transmitted as required by this Act, or being transmitted contain some error or false statement, then—

(*a.*) If the candidate applies to the High Court or an election court, and shows that the failure to transmit such return and declarations, or any of them, or any part thereof or any error or false statement therein, has arisen by reason of his illness, or of the absence, death, illness, or misconduct of his election agent or sub-agent, or of any clerk or officer of such agent, or by reason of inadvertence, or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant, or,

(*b.*) If the election agent of the candidate applies to the High Court or an election court, and shows that the failure to transmit the return and declarations which he was required to

transmit, or any part thereof, or any error or false statement therein, arose by reason of his illness or of the death or illness of any prior election agent of the candidate, or of the absence, death, illness, or misconduct of any sub-agent, clerk, or officer of an election agent of the candidate, or by reason of inadvertence or of any reasonable cause of a like nature, and not by reason of any want of good faith on the part of the applicant,

the court may, after such notice of the application in the said county or borough, and on production of such evidence of the grounds stated in the application, and of the good faith of the application, and otherwise, as to the court seems fit, make such order for allowing an authorised excuse for the failure to transmit such return and declaration, or for an error or false statement in such return and declaration, as to the court seems just.

(2.) The order may make the allowance conditional upon the making of the return and declaration in a modified form or within an extended time, and upon the compliance with such other terms as to the court seem best calculated for carrying into effect the objects of this Act; and an order allowing an authorised excuse shall relieve the applicant for the order from any liability or consequences under this Act in respect of the matter excused by the order; and where it is proved by the candidate to the court that any act or omission of the election agent in relation to the return and declaration respecting election expenses was without the sanction or connivance of the candidate, and that the candidate took all reasonable means for preventing such act or omission, the court shall relieve the candidate from the consequences of such act or omission on the part of his election agent.

(3.) The date of the order, or if conditions and terms are to be complied with, the date at which the applicant fully complies with them, is referred to in this Act as the date of the allowance of the excuse.

Publication of summary of return of election expenses.

226.—(1.) The returning officer at an election, within ten days after he receives from the election agent of a candidate a return respecting election expenses, shall publish a summary of the return in not less than two newspapers circulating in the county or borough for which the election was held, accompanied by a notice of the time and place at which the return and declarations (including the accompanying documents) can be inspected.

(2.) The return and declarations (including the accompanying documents) sent to the returning officer by an election agent shall

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be kept at the office of the returning officer, or some convenient place appointed by him, and shall at all reasonable times during one year next after they are received by the returning officer, be open to inspection by any person on payment of a fee of *one shilling*, and the returning officer shall on demand furnish copies thereof or at any part thereof at the price of *two pence* for every seventy-two words. After the expiration of the said year, the returning officer may cause the said return and declarations (including the accompanying documents), to be destroyed, or, if the candidate or his election agent so require, shall return the same to the candidate.

Disqualification of Electors.

Prohibition of persons guilty of corrupt or illegal practices, &c. from voting.

227. Every person guilty of a corrupt or illegal practice or of illegal employment, payment, or hiring at an election is prohibited from voting at such election, and if any such person votes his vote shall be void.

Prohibition of disqualified persons from voting.

228. Every person who, in consequence of conviction or of the report of any election court or election commissioners under this Act, or under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to corrupt practices at an election for any public office, has become incapable of voting at any election, whether, a parliamentary election or an election to any public office, is prohibited from voting at any such election, and his vote shall be void.

Hearing of person before he is reported guilty of corrupt or illegal practice, and incapacity of person reported guilty.

229.—(1.) Before a person, not being a party to an election petition nor a candidate on behalf of whom the seat is claimed by an election petition, is reported by an election court, and before any person is reported by election commissioners, to have been guilty, at an election, of any corrupt or illegal practice, the court or commissioners as the case may be, shall cause notice to be given to such person, and if he appears in pursuance of the notice, shall give him an opportunity of being heard by himself and of calling evidence in his defence to show why he should not be so reported.

(2.) Every person reported by election commissioners to have been guilty at an election of any corrupt or illegal practice, may appeal against such report to the next court of oyer and terminer or gaol delivery held in and for the county or place in which the offence is alleged to have been committed, and such court may hear and

determine the appeal; and subject to rules of court such appeal may be brought, heard, and determined in like manner as if the court were a court of quarter sessions and the said commissioners were a court of summary jurisdiction, and the person so reported had been convicted by a court of summary jurisdiction for an offence under this Act, and notice of every such appeal shall be given to the Director of Public Prosecutions in the manner and within the time directed by rules of court, and subject to such rules, then within three days after the appeal is brought.

(3.) Where it appears to the Lord Chancellor that appeals under this section are interfering or are likely to interfere with the ordinary business transacted before any courts of oyer and terminer or gaol delivery, he may direct that the said appeals, or any of them, shall be heard by the judges for the time being on the rota for election petitions, and in such cases one of such judges shall proceed to the county or place in which the offences are alleged to have been committed, and shall there hear and determine the appeals in like manner as if such judge were a court of oyer and terminer.

(4.) Every person who after the commencement of this Act is reported by an election court or election commissioners to have been guilty of any corrupt or illegal practice at an election, shall, whether he obtained a certificate of indemnity or not, be subject to the same incapacity as he would be subject to if he had at the date of such election been convicted of the offence of which he is reported to have been guilty; provided that a report of any election commissioners inquiring into an election for a county or borough shall not void the election of any candidate who has been declared by an election court on the trial of a petition respecting such election to have been duly elected at such election, or render him incapable of sitting in the House of Commons for the said county or borough during the Parliament for which he was elected.

(5.) Where a person who is a justice of the peace is reported by any election court or election commissioners to have been guilty of any corrupt practice in reference to an election, whether he has obtained a certificate of indemnity or not, it shall be the duty of the Director of Public Prosecutions to report the case to the Lord High Chancellor of Great Britain, with such evidence as may have been given of such corrupt practice, and where any such person acts as a justice of the peace by virtue of his being, or having been, mayor of a borough, the Lord High Chancellor shall have the same

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power to remove such person from being a justice of the peace as if he was named in a commission of the peace.

(6.) Where a person who is a barrister or a solicitor, or who belongs to any profession, the admission to which is regulated by law, is reported by an election court or election commissioners to have been guilty of any corrupt practice in reference to an election, whether such person has obtained a certificate of indemnity or not, it shall be the duty of the Director of Public Prosecutions to bring the matter before the Inn of Court, High Court, or tribunal having power to take cognizance of any misconduct of such person in his profession, and such Inn of Court, High Court, or tribunal may deal with such person in like manner as if such corrupt practice were misconduct by such person in his profession.

(7.) With respect to a person holding a license or certificate under the Licensing Acts (in this section referred to as a licensed person) the following provisions shall have effect:

(*a.*) If it appears to the court by which any licensed person is convicted of the offence of bribery or treating that such offence was committed on his licensed premises, the court shall direct such conviction to be entered in the proper register of licenses.

(*b.*) If it appears to an election court or election commissioners that a licensed person has knowingly suffered any bribery or treating in reference to any election to take place upon his licensed premises, such court or commissioners (subject to the provisions of this Act as to a person having an opportunity of being heard by himself and producing evidence before being reported) shall report the same; and whether such person obtained a certificate of indemnity or not, it shall be the duty of the Director of Public Prosecutions to bring such report before the licensing justices from whom or on whose certificate the licensed person obtained his license, and such licensing justices shall cause such report to be entered in the proper register of licenses.

(*c.*) Where an entry is made in the register of licenses of any such conviction of or report respecting any licensed person as above in this section mentioned, it shall be taken into consideration by the licensing justices in determining whether they will or will not grant to such persons the renewal of his license or certificate, and may be a ground, if the justices think fit, for refusing such renewal.

(8.) Where the evidence showing any corrupt practice to have been committed by a justice of the peace, barrister, solicitor, or

other professional person, or any licensed person, was given before election commissioners, those commissioners shall report the case to the Director of Public Prosecutions, with such information as is necessary or proper for enabling him to act under this section.

(9.) This section shall apply to an election court under this Act, or under Part IV. of the Municipal Corporations Act, 1882, and the expression election shall be construed accordingly.

List in register of voters incapacitated for voting by corrupt or illegal practices.

230.—(1.) The registration officer in every county and borough shall annually make out a list containing the names and description of all persons who, though otherwise qualified to vote at a parliamentary election for such county or borough respectively, are not capable of voting by reason of having, after the commencement of this Act, been found guilty of a corrupt or illegal practice on conviction, or by the report of any election court or election commissioners, whether under this Act or under Part IV. of the Municipal Corporations Act, 1882, or under any other Act for the time being in force relating to a parliamentary election or an election to any public office; and such officer shall state in the list the offence of which each person has been found guilty.

(2.) For the purpose of making out such list he shall examine the report of any election court or election commissioners who have respectively tried an election petition or inquired into an election where the election (whether a parliamentary election or an election to any public office) was held in any of the following places; that is to say,

(*a.*) If he is the registration officer of a county, in that county, or in any borough in that county; and

(*b.*) If he is the registration officer of a borough, in the county in which such borough is situate, or in any borough of that county.

(3.) The registration officer shall publish the list, together with the list of voters, and shall also, in the case of every person found guilty of corrupt and illegal practices, omit his name from the list of persons entitled to vote, or, as circumstances require, add "objected" before his name in the list of claimants or copy of the register published by him, in like manner as is required by law in any other cases of disqualification.

(4.) Any person named in the Corrupt and Illegal Practices List may claim to have his name omitted therefrom, and any person entitled to object to any list of voters for the county or borough may object to the omission of the name of any person from such list. Such claims and objections shall be sent in within the same

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time and be dealt with in like manner, and any such objection shall be served on the person referred to therein in like manner, as nearly as circumstances admit, as other claims and objections under the enactments relating to the registration of parliamentary electors.

(5.) The registration and returning officer or other proper person named in this Act shall determine such claims and objections and shall revise such list in like manner as nearly as circumstances admit, as in the case of other claims and objections and of any list of voters.

(6.) Where it appears to the registration and returning officer or other proper person named in this Act that a person not named in the Corrupt and Illegal Practices List is subject to have his name inserted in such list, he shall (whether an objection to the omission of such name from the list has or has not been made, but) after giving such person an opportunity of making a statement to show cause to the contrary, insert his name in such list, and expunge his name from any list of voters.

(7.) A registration and returning officer in acting under this section shall determine only whether a person is incapacitated by conviction or by the report of any election court or election commissioners, and shall not determine whether a person has or not been guilty of any corrupt or illegal practice.

(8.) The Corrupt and Illegal Practices List shall be appended to the Register of Voters, and shall be printed and published therewith wherever the same is printed or published.

Proceedings on Election Petition.

Time for presentation of election petitions alleging illegal practice.

231.—(1.) Where an election petition questions the return or the election upon an allegation of an illegal practice, then, notwithstanding anything in the Parliamentary Elections Act, 1868, such petition, so far as respects such illegal practice, may be presented within the time following; (that is to say,)

(*a.*) At any time before the expiration of twenty-eight days after the day on which the returning officer received the return and declarations respecting election expenses by the member to whose election the petition relates and his election agent.

(*b.*) If the election petition specifically alleges a payment of money or some other act to have been made or done since the said day by the member or an agent of the member, or with the privity of the member or his election agent, in pursuance or in furtherance of the illegal practice alleged in the petition, the petition may be presented at any time within twenty-eight days after the date of such payment or other act.

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(2.) Any election petition presented within the time limited by this Act may, for the purpose of questioning the return or the election upon an allegation of an illegal practice, be amended with the leave of the High Court within the time within which a petition questioning the return upon the allegation of that illegal practice can under this section be presented.

(3.) This section shall apply in the case of an offence relating to the return and declarations respecting election expenses in like manner as if it were an illegal practice, and also shall apply notwithstanding that the act constituting the alleged illegal practice amounted to a corrupt practice.

(4.) For the purpose of this section—

(*a.*) where the return and declarations are received on different days, the day on which the last of them is received; and

(*b.*) where there is an authorised excuse for failing to make and transmit the return and declarations respecting election expenses, the date of the allowance of the excuse, or if there was a failure as regards two or more of them, and the excuse was allowed at different times, the date of the allowance of the last excuse,

shall be substituted for the day on which the return and declarations are received by the returning officer.

(5.) For the purposes of this section, time shall be reckoned in like manner as it is reckoned for the purposes of the parliamentary elections.

Withdrawal of election petition.

232.—(1.) Before leave for the withdrawal of an election petition is granted, there shall be produced affidavits by all the parties to the petition and their solicitors, and by the election agents of all of the said parties who were candidates at the election, but the High Court may on cause shown dispense with the affidavit of any particular person if it seems to the court on special grounds to be just so to do.

(2.) Each affidavit shall state that, to the best of the deponent's knowledge and belief, no agreement or terms of any kind whatsoever has or have been made, and no undertaking has been entered into, in relation to the withdrawal of the petition; but if any lawful agreement has been made with respect to the withdrawal of the petition, the affidavit shall set forth that agreement, and shall make the foregoing statement subject to what appears from the affidavit.

(3.) The affidavit of the applicant and his solicitor shall further state the ground on which the petition is sought to be withdrawn.

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(4.) Copies of the said affidavits shall be delivered to the Director of Public Prosecutions a reasonable time before the application for the withdrawal is heard, and the court may hear the Director of Public Prosecutions or his assistant or other representative (appointed with the approval of the Attorney-General), in opposition to the allowance of the withdrawal of the petition, and shall have power to receive the evidence on oath of any person or persons whose evidence the Director of Public Prosecutions or his assistant, or other representative, may consider material.

(5.) Where in the opinion of the court the proposed withdrawal of a petition was the result of any agreement, terms, or undertaking prohibited by this section, the court shall have the same power with respect to the security as where the withdrawal is induced by a corrupt consideration.

(6.) In every case of the withdrawal of an election petition the court shall report to the speaker whether, in the opinion of such court, the withdrawal of such petition was the result of any agreement, terms, or undertaking, or was in consideration of any payment, or in consideration that the seat should at any time be vacated, or in consideration of the withdrawal of any other election petition, or for any other consideration, and if so, shall state the circumstances attending the withdrawal.

(7.) Where more than one solicitor is concerned for the petitioner or respondent, whether as agent for another solicitor or otherwise, the affidavit shall be made by all such solicitors.

(8.) Where a person not a solicitor is lawfully acting as agent in the case of an election petition, that agent shall be deemed to be a solicitor for the purpose of making an affidavit in pursuance of this section.

Continuation of trial of election petition.

233. The trial of every election petition so far as is practicable, consistently with the interests of justice in respect of such trial, shall be continued de die in diem on every lawful day until its conclusion, and in case the rota of judges for the year shall expire before the conclusion of the trial, or of all the proceedings in relation or incidental to the petition, the authority of the said judges shall continue for the purpose of the said trial and proceedings.

Attendance of Director of Public Prosecutions on trial of election petition, and

234.—(1.) On every trial of an election petition the Director of Public Prosecutions shall by himself or by his assistant, or by such representative as herein-after mentioned, attend at the trial, and it shall be the duty of such Director to obey any directions given to him by the election court with respect to the summoning and

examination of any witness to give evidence on such trial, and with respect to the prosecution by him of offenders, and with respect to any person to whom notice is given to attend with a view to report him as guilty of any corrupt or illegal practice.

(2.) It shall also be the duty of such Director, without any direction from the election court, if it appears to him that any person is able to give material evidence as to the subject of the trial, to cause such person to attend the trial, and with the leave of the court to examine such person as a witness.

(3.) It shall also be the duty of the said Director, without any direction from the election court, if it appears to him that any person who has not received a certificate of indemnity has been guilty of a corrupt or illegal practice, to prosecute such person for the offence before the said court, or of he thinks it expedient in the interests of justice before any other competent court.

(4.) Where a person is prosecuted before an election court for any corrupt or illegal practice, and such person appears before the court, the court shall proceed to try him summarily for the said offence, and such person, if convicted thereof upon such trial, shall be subject to the same incapacities as he is rendered subject to under this Act upon conviction, whether on indictment or in any other proceeding for the said offence; and further, may be adjudged by the court, if the offence is a corrupt practice, to be imprisoned, with or without hard labour, for a term not exceeding *six months*, or to pay a fine not exceeding *two hundred pounds*, and if the offence is an illegal practice, to pay such fine as is fixed by this Act for the offence.

Provided that, in the case of a corrupt practice, the court before proceeding to try summarily any person, shall give such person the option of being tried by a jury.

(5.) Where a person is so prosecuted for any such offence, and either he elects to be tried by a jury or he does not appear before the court, or the court thinks it in the interests of justice expedient that he should be tried before some other court, the court, if of opinion that the evidence is sufficient to put the said person upon his trial for the offence, shall order such person to be prosecuted on indictment or before a court of summary jurisdiction, as the case may require, for the said offence; and in either case may order him to be prosecuted before such court as may be named in the order; and for all purposes preliminary and of and incidental to such prosecution the offence shall be deemed to have been committed within the jurisdiction of the court so named.

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(6.) Upon such order being made,

(*a.*) If the accused person is present before the court, and the offence is an indictable offence, the court shall commit him to take his trial, or cause him to give bail to appear and take his trial for the said offence; and

(*b.*) If the accused person is present before the court, and the offence is not an indictable offence, the court shall order him to be brought before the court of summary jurisdiction before whom he is to be prosecuted, or cause him to give bail to appear before that court; and

(*c.*) If the accused person is not present before the court, the court shall, as circumstances require, issue a summons for his attendance, or a warrant to apprehend him and bring him, before a court of summary jurisdiction, and that court, if the offence is an indictable offence, shall, on proof only of the summons or warrant and the identity of the accused, commit him to take his trial, or cause him to give bail to appear and take his trial for the said offence, or if the offence is punishable on summary conviction, shall proceed to hear the case, or if such court be not the court before whom he is directed to be prosecuted, shall order him to be brought before that court.

(7.) The Director of Public Prosecutions may nominate, with the approval of the Attorney-General, a barrister or solicitor of not less than ten years standing to be his representative for the purpose of this section, and that representative shall receive such remuneration as the Commissioners of Her Majesty's Treasury may approve. There shall be allowed to the Director and his assistant or representative, for the purposes of this section, such allowance for expenses as the Commissioners of Her Majesty's Treasury may approve.

(8.) *The costs incurred in defraying the expenses of the Director of Public Prosecutions under this section (including the remuneration of his representative) shall, in the first instance, be paid by the Commissioners of Her Majesty's Treasury, and so far as they are not in the case of any prosecution paid by the defendant shall be deemed to be expenses of the election court;* but if for any reasonable cause it seems just to the court so to do, the court shall order all or part of the said costs to be repaid to the Commissioners of Her Majesty's Treasury by the parties to the petition, or such of them as the court may direct.

Power to election court to

235.—(1.) Where upon the trial of an election petition respecting an election for a county or borough it appears to the election court

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that a corrupt practice has not been proved to have been committed in reference to such election by or with the knowledge and consent of the respondent to the petition, and that such respondent took all reasonable means to prevent corrupt practices being committed on his behalf, the court may make one or more orders with respect to the payment either of the whole or such part of the costs of the petition as the court may think right as follows :

order payment by county or borough or individual of costs of election petition.

(*a.*) If it appears to the court that corrupt practices extensively prevailed in reference to the said election, the court may order the whole or part of the costs to be paid by the county or borough ; and

(*b.*) If it appears to the court that any person or persons is or are proved, whether by providing money or otherwise, to have been extensively engaged in corrupt practices, or to have encouraged or promoted extensive corrupt practices in reference to such election, the court may, after giving such person or persons an opportunity of being heard by counsel or solicitor and examining and cross-examining witnesses to show cause why the order should not be made, order the whole or part of the costs to be paid by that person, or those persons or any of them, and may order that if the costs cannot be recovered from one or more of such persons, they shall be paid by some other of such persons or by either of the parties to the petition.

(2.) Where any person appears to the court to have been guilty of the offence of a corrupt or illegal practice, the court may, after giving such person an opportunity of making a statement to show why the order should not be made, order the whole or any part of the costs of or incidental to any proceeding before the court in relation to the said offence or to the said person to be paid by the said person.

(3.) The rules and regulations of the Supreme Court of Judicature with respect to costs to be allowed in actions, causes, and matters in the High Court shall in principle and so far as practicable apply to the costs of petition and other proceedings under this Act, and the taxing officer shall not allow any costs, charges, or expenses on a higher scale than would be allowed in any action, cause, or matter in the High Court on the higher scale, as between solicitor and client.

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Miscellaneous.

Inquiry by Director of Public Prosecutions into alleged corrupt or illegal practices.

236. Where information is given to the Director of Public Prosecutions that any corrupt or illegal practices have prevailed in reference to any election, it shall be his duty, subject to the regulations under the Prosecution of Offences Act, 1879, to make such inquiries and institute such prosecutions as the circumstances of the case appear to him to require.

Removal of incapacity on proof that it was procured by perjury.

237. Where a person has, either before or after the commencement of this Act, become subject to any incapacity under the Corrupt Practices Prevention Acts or this Act by reason of a conviction or of a report of any election court or election commissioners, and any witness who gave evidence against such incapacitated person upon the proceeding for such conviction or report is convicted of perjury in respect of that evidence, the incapacitated person may apply to the High Court, and the court, if satisfied that the conviction or report so far as respects such person was based upon perjury, may order that such incapacity shall thenceforth cease, and the same shall cease accordingly.

Amendment of law as to polling districts and polling places.

238.—(1.) Every county and borough, and division of a county and borough, shall be divided into polling districts, and a polling place shall be assigned to each district in such manner that, so far as is reasonably practicable, every elector resident in the county shall have his polling place within a reasonable distance from his residence, as herein-before provided.

(2.) In every county the registration and returning officer appointed under this Act shall from time to time divide the county into polling districts, and assign polling places to those districts, and alter those districts and polling places in such manner as may be necessary for the purpose of effectually carrying into effect the provisions of this Act.

(3.) The power of dividing a borough into polling districts vested in a local authority by the Representation of the People Act, 1867, and the enactments amending the same, shall be exercised by the registration and returning officer from time to time, and the said power shall be deemed to include the power of altering any polling district, and the said officer shall from time to time, where necessary for the purpose of carrying this section into effect, divide the borough into polling districts in such manner that—

(*a.*) Every elector resident in a borough shall be enabled to poll within a distance not exceeding one mile from his residence.

(*b.*) Every elector resident in a group of boroughs or district burghs shall be enabled to poll within a distance not exceeding one mile from his residence.

Expenses of arranging polling districts to be charged to the consolidated fund.

239. *The expenses incurred under this or any other Act in dividing their county or borough into polling districts, and, in the case of a county, assigning polling places to such districts, and in altering any such districts or polling places, shall be defrayed in like manner as if they were expenses incurred by the registration and returning officer in the execution of the sections respecting the registration of electors in such county or borough, and those sections so far as is consistent with the tenor thereof, shall apply accordingly.*

Election commissioners not to inquire into elections before the passing of this Act.

240. Where, after the *passing of this Act*, any commissioners have been appointed, on a joint address of both Houses of Parliament, for the purpose of making inquiry into the existence of corrupt practices in any election, the said commissioners shall not make inquiries concerning any election that shall have taken place prior to the passing of this Act, and no witness called before such commissioners, or at any election petition after the passing of this Act, shall be liable to be asked or bound to answer any question for the purpose of proving the commission of any corrupt practice at or in relation to any election prior to the passing of this Act.

Legal Proceedings.

Trial in Central Criminal Court of indictment for corrupt practice at instance of Attorney-General.

241. Where an indictment as defined by this Act for any offence under this Act is instituted in the High Court or is removed into the High Court by a writ of certiorari issued at the instance of the Attorney-General, and the Attorney-General suggests on the part of the Crown that it is expedient for the purposes of justice that the indictment should be tried in the Central Criminal Court, or if a special jury is ordered that it should be tried before a judge and jury at the Royal Courts of Justice, the High Court may, if it think fit, order that such indictment shall be so tried upon such terms as the court may think just, and the High Court may make such orders as appear to the court necessary or proper for carrying into effect the order for such trial.

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Limitation of time for prosecution of offence.

242.—(1.) A proceeding against a person in respect of the offence of a corrupt or illegal practice or any other offence under this Act shall be commenced within one year after the offence was committed, or if it was committed in reference to an election with respect to which an inquiry is held by election commissioners shall be commenced within one year after the offence was committed, or within three months after the report of such commissioners is made, whichever period last expires, so that it be commenced within two years after the offence was committed, and the time so limited by this section shall, in the case of any proceeding under the Summary Jurisdiction Acts for any such offence, whether before an election court or otherwise, be substituted for any limitation of time contained in the last-mentioned Acts.

(2.) For the purposes of this section the issue of a summons, warrant, writ, or other process shall be deemed to be a commencement of a proceeding, where the service or execution of the same on or against the alleged offender is prevented by the absconding or concealment or act of the alleged offender, but save as aforesaid the service or execution of the same on or against the alleged offender and not the issue thereof, shall be deemed to be the commencement of the proceeding.

Persons charged with corrupt practice may be found guilty of illegal practice.

243. Any person charged with a corrupt practice may, if the circumstances warrant such finding, be found guilty of an illegal practice, (which offence shall for that purpose be an indictable offence,) and any person charged with an illegal practice may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt practice, and a person charged with illegal payment, employment, or hiring, may be found guilty of that offence, notwithstanding that the act constituting the offence amounted to a corrupt or illegal practice.

Costs and expenses of prosecutions relating to bribery, &c., &c.
17 & 18 Vict. c. 102. s. 10.

244. It shall be lawful for any criminal or other court in this Act mentioned, before which any prosecution shall be instituted for any offence against the provisions of this Act, to order payment to the prosecutor of such costs and expenses as to the said court shall appear to have been reasonable in and about the conduct of such prosecution: Provided always, that no indictment for bribery or undue influence shall be triable before any court of quarter sessions.

In cases of private prosecutions, if judgment be

245. In case of any indictment or information by a private prosecutor for any offence against the provisions of this Act, if judgment shall be given for the defendant, he shall be entitled to

recover from the prosecutor the costs sustained by the defendant, by reason of such indictment or information, such costs to be taxed by the proper officer of the court in which such judgment shall be given.

given for the defendant, he shall recover costs from the prosecutor. 17 & 18 Vict. c. 102. s. 12.

(3.) A registration and returning officer under this Act, and the Director of Public Prosecutions, or any person instituting any prosecution on their behalf or by the direction of an election court, shall not be deemed to be a private prosecutor under this Act.

(4.) On any prosecution under this Act, whether on indictment or summarily, and whether before an election court or otherwise, and in any action for a pecuniary forfeiture under this Act, the person prosecuted or sued, and the husband or wife of such person, may, if he or she think fit, be examined as an ordinary witness in the case.

(5.) On any such prosecution or action as aforesaid it shall be sufficient to allege that the person charged was guilty of an illegal practice, payment, employment, or hiring within the meaning of this Act, as the case may be, and the certificate of the returning officer at an election that the election mentioned in the certificate was duly held, and that the person named in the certificate was a candidate at such election, shall be sufficient evidence of the facts therein stated.

Prosecutions on summary conviction, and appeal to quarter sessions.

246.—(1.) All offences under this Act punishable on summary conviction may be prosecuted in manner provided by the Summary Jurisdiction Acts.

(2.) A person aggrieved by a conviction by a court of summary jurisdiction for an offence under this Act, may appeal to general or quarter sessions against such conviction.

Application of Summary Jurisdiction and Indictable Offences Acts to proceedings before election courts.

247.—(1.) Except that nothing in this Act shall authorise any appeal against a summary conviction by an election court, the Summary Jurisdiction Acts shall, so far as is consistent with the tenor thereof, apply to the prosecution of an offence summarily before an election court, in like manner as if it were an offence punishable only on summary conviction, and accordingly the attendance of any person may be enforced, the case heard and determined, and any summary conviction by such court be carried into effect and enforced, and the costs thereof paid, and the record thereof dealt with under those Acts in like manner as if the court were a petty sessional court for the county or place in which such conviction took place.

(2.) The enactments relating to charges before justices against persons for indictable offences shall, so far as is consistent with the

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tenor thereof, apply to every case where an election court orders a person to be prosecuted on indictment in like manner as if the court were a justice of the peace.

Exercise of jurisdiction of High Court, and making of rules of court.

248.—(1.) Subject to any rules of court, any jurisdiction vested by this Act in the High Court may, so far as it relates to indictments or other criminal proceedings, be exercised by any judge of the Queen's Bench Division, and in other respects may either be exercised by one of the judges for the time being on the rota for the trial of election petitions, sitting either in court or at chambers, or may be exercised by a master of the Supreme Court of Judicature in manner directed by and subject to an appeal to the said judges.

Provided that a master shall not exercise jurisdiction in the case either of an order declaring any act or omission to be an exception from the provisions of this Act with respect to illegal practices, payments, employments, or hirings, or of an order allowing an excuse in relation to a return or declaration respecting election expenses.

(2.) Rules of court may from time to time be made, revoked, and altered for the purposes of this Act, and the Acts amending the same, by the same authority by whom rules of court for procedure and practice in the Supreme Court of Judicature can for the time being be made.

Director of Public Prosecutions and expenses of prosecutions.

249.—(1.) The Director of Public Prosecutions in performing any duty under this Act shall act in accordance with the regulations under the Prosecution of Offences Act, 1879, and subject thereto in accordance with the directions (if any) given to him by the Attorney-General; and any assistant or representative of the Director of Public Prosecutions in performing any duty under this Act shall act in accordance with the said regulations and directions, if any, and with the directions given to him by the Director of Public Prosecutions.

(2.) Subject to the provisions of this Act, the costs of any prosecution on indictment for an offence punishable under this Act, whether by the Director of Public Prosecutions or his representative, or by any other person, shall, so far as they are not paid by the defendant, be paid in like manner as costs in the case of a prosecution for felony are paid.

Recovery of costs payable by county or borough or by person.

250.—(1.) Where any costs or other sums (not being costs of a prosecution on indictment) are, under an order of an election court, or otherwise under this Act to be paid by a county or borough, *the Commissioners of Her Majesty's Treasury shall pay those costs or sums, and obtain repayment of the amount so paid, in like*

manner as if such costs and sums were expenses of election commissioners paid by them. A.D. 1891.

(2.) Where any costs or other sums are, under the order of an election court or otherwise under this Act, to be paid by any person, those costs shall be a simple contract debt due from such person to the person or persons to whom they are to be paid, and if payable to the Commissioners of Her Majesty's Treasury shall be a debt to Her Majesty, and in either case may be recovered accordingly.

Supplemental Provisions, Definitions, Savings, and Repeal.

Obligation of witness to answer, and certificate of indemnity.

251.—(1.) A person who is called as a witness respecting an election before any election court shall not be excused from answering any question relating to any offence at or connected with such election on the ground that the answer thereto may criminate or tend to criminate himself, or on the ground of privilege:

Provided that—

(*a.*) No person who has voted at an election shall, in any legal proceeding to question the election or return, be required to state or disclose for whom he has voted at such election.

(*b.*) A witness who answers truly all questions which he is required by the election court to answer shall be entitled to receive a certificate of indemnity under the hand of a member of the court stating that such witness has so answered; and

(*c.*) An answer by a person to a question put by or before any election court shall not, except in the case of any criminal proceeding for perjury in respect of such evidence, be in any proceeding, civil or criminal, admissible in evidence against him.

(2.) Where a person has received such a certificate of indemnity in relation to an election, and any legal proceeding is at any time instituted against him for any offence under this Act, committed by him previously to the date of the certificate at or in relation to the said election, the court having cognizance of the case shall on proof of the certificate stay the proceeding, and may in their discretion award to the said person such costs as he may have been put to in the proceeding.

(3.) Nothing in this section shall be taken to relieve a person receiving a certificate of indemnity from any incapacity under this

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Act or from any proceeding to enforce such incapacity (other than a criminal prosecution).

(4.) This section shall apply in the case of a witness before any election commissioners, in like manner as if the expression "election court" in this section included election commissioners.

(5.) Where a solicitor or person lawfully acting as agent for any party to an election petition respecting any election for a county or borough has not taken any part or been concerned in such election, the election commissioners inquiring into such election shall not be entitled to examine such solicitor or agent respecting matters which came to his knowledge by reason only of his being concerned as solicitor or agent for a party to such petition.

Submission of report of election court or commissions to Attorney-General.

252. An election court or election commissioners, when reporting that certain persons have been guilty of any corrupt or illegal practice, shall report whether those persons have or not been furnished with certificates of indemnity; and such report shall be laid before the Attorney-General (accompanied in the case of the commissioners with the evidence on which such report was based) with a view to his instituting or directing a prosecution against such persons as have not received certificates of indemnity, if the evidence should, in his opinion, be sufficient to support a prosecution.

Breach of duty by officer.

253. Every registration and returning officer, presiding officer, and clerk, appointed under this Act, and every sheriff, under sheriff, clerk of the peace, town clerk, secondary, clerk of the Crown, overseer, postmaster, or any other public officer or other person required to do any matter or thing by and under this Act, who is guilty of any wilful misfeasance, or any wilful act or omission in contravention of this Act, shall, in addition to any other penalty or liability to which he may be subject, forfeit to any person aggrieved by such misfeasance, act, or omission a penal sum not exceeding *one hundred pounds*, or such less sum as the jury, before whom may be tried any such action brought for the recovery of the before-mentioned penalty, shall consider just to be paid to such party, with full costs of suit.

Publication and service of notices.

254.—(1.) Any public notice required to be given by the registration and returning officer under this Act shall be given in the manner herein directed to give a public notice.

(2.) Where any summons, notice, or document is required to be served on any person with reference to any proceeding respecting

an election for a county or borough, whether for the purpose of causing him to appear before the High Court or any election court, or election commissioners, or otherwise, or for the purpose of giving him an opportunity of making a statement, or showing cause, or being heard by himself, before any court or commissioners, for any purpose of this Act, such summons, notice, or document may be served either by delivering the same to such person, or by leaving the same at, or sending the same by post by a registered letter to, his last known place of abode in the said county or borough, or if the proceeding is before any court or commissioners, in such other manner as the court or commissioners may direct, and in proving such service by post it shall be sufficient to prove that the letter was prepaid, properly addressed, and registered with the post office.

Definition of candidate, and saving for persons nominated without consent.

255.—(1.) In this Act, the expression "candidate at an election" and the expression "candidate" respectively mean, unless the context otherwise requires, any person elected to serve in Parliament at such election, and any person who is nominated as a candidate at such election, or is declared by himself or by others to be a candidate on or after the day of the issue of the writ for such election, or after the dissolution or vacancy in consequence of which such writ has been issued:

(2.) Provided that where a person has been nominated as a candidate or declared to be a candidate by others, then—

(*a.*) If he was so nominated or declared without his consent, nothing in this Act shall be construed to impose any liability on such person, unless he has afterwards given his assent to such nomination or declaration or has been elected; and

(*b.*) If he was so nominated or declared, either without his consent or in his absence and he takes no part in the election, he may, if he thinks fit, make the declaration respecting election expenses contained in the second part of the Second Schedule to this Act, and the election agent shall, so far as circumstances admit, comply with the provisions of this Act with respect to expenses incurred on account of or in respect of the conduct or management of the election in like manner as if the candidate had been nominated or declared with his consent.

General interpretation of terms.

256. In this Act, unless the context otherwise requires—

The expression "election" means the election of a member or members to serve in Parliament:

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The expression "election petition" means a petition presented against the return of any member to serve in Parliament in pursuance of this Act:

The expression "election court" means the judges presiding at the trial of an election petition, or, if the matter comes before the High Court, that court:

The expression "election commissioners" means commissioners appointed to try an election petition under this Act:

The expression "High Court" means Her Majesty's High Court of Justice in England:

The expressions "court of summary jurisdiction," "petty sessional court," and "Summary Jurisdiction Acts" have the same meaning as in the Summary Jurisdiction Act, 1879:

The expression "the Attorney-General" includes the Solicitor-General in cases where the office of the Attorney-General is vacant or the Attorney-General is interested or otherwise unable to act:

The expressions "registration officer" and "returning officer" respectively mean the registration and returning officer appointed under this Act:

The expression "elector" means any person whose name is for the time being on the register roll or book containing the names of the persons entitled to vote at the election with reference to which the expression is used:

The expression "register of electors" means the said register roll or book:

The expression "polling agent" means an agent of the candidate appointed to attend at a polling station during the hours at which such polling station is open for receiving votes:

The expression "person" includes an association or body of persons, corporate or unincorporate, and where any act is done by any such association or body, the members of such association or body who have taken part in the commission of such act shall be liable to any fine or punishment imposed for the same by this Act:

The expression "committee room" shall not include any house or room occupied by a candidate at an election as a dwelling by reason only of the candidate there transacting business with his agents in relation to such election; nor shall any room or building be deemed to be a committee room for the purposes of this Act by reason only of the candidate or any agent of the candidate addressing therein electors, committee men, or others:

The expression "public office" means any office under the Crown or under the charter of a city or municipal borough, or under the Acts relating to municipal corporations or to the poor law, or under the Elementary Education Act, 1870, or under the Public Health Act, 1875, or under any Acts amending the above-mentioned Acts, or under any other Acts for the time being in force (whether passed before or after the commencement of this Act) relating to local government, whether the office is that of mayor, chairman, alderman, councillor, guardian, member of a board, commission, or other local authority in any county, city, borough, union, sanitary district, or other area, or is the office of clerk of the peace, town clerk, clerk or other officer under a council, board, vestry, commission, or other authority, or is any other office, to which a person is elected or appointed under any such charter or Act as above-mentioned, and includes any other municipal or parochial office; and the expressions "election," "election petition," "election court," and "register of electors," shall, where expressed to refer to an election for any such public office, be construed accordingly:

The expression "judicial office" includes the office of justice of the peace or returning officer:

The expression "personal expenses" as used with respect to the expenditure of any candidate in relation to any election, includes the reasonable travelling expenses of such candidate, the hire or rent of any premises where the candidate may temporarily reside, and the reasonable expenses of his living at hotels or elsewhere for the purposes of and in relation to such election:

The expression "indictment" includes information:

The expression "costs" includes costs, charges, and expenses:

The expression "payment" includes any pecuniary or other reward; and the expressions "pecuniary award" and "money" shall be deemed to include any office, place, or employment, and any valuable security or other equivalent for money, and any valuable consideration, and expressions referring to money shall be construed accordingly:

The expression "Licensing Acts" means the Licensing Acts, 1872 to 1874.

Short titles.

257.—(1.) The enactments described in this Act are in this Act referred to and may be cited respectively by the short titles in that behalf in the sections wherein mentioned.

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(2.) This Act may be cited as the Parliamentary Elections Act, 1887.

Repeal of Acts.

258. The Acts set forth in the Eleventh Schedule to this Act are hereby repealed as from the commencement of this Act to the extent in the third column of that schedule mentioned, provided that this repeal or the expiration of any enactment not continued by this Act shall not revive any enactment which at the commencement of this Act is repealed, and shall not affect anything duly done or suffered before the commencement of this Act, or any right acquired or accrued or any incapacity incurred before the commencement of this Act, and any person subject to any incapacity under any enactment hereby repealed or not continued shall continue subject thereto, and this Act shall apply to him as if he had become so subject in pursuance of the provisions of this Act.

Commencement of Act.

259. This Act shall come into operation on the day on which this Act shall have received the royal assent.

Application of Act to Scotland.

Application of Act to Scotland.

260. This Act shall apply to Scotland, with the following modifications:

(1.) The following expressions shall mean as follows:

The expression "misdemeanour" shall mean crime and offence:

The expression "indictment" shall include criminal letters:

The expression "solicitor" shall mean enrolled law agent:

The expression "revising barrister" shall mean sheriff:

The expression "barrister" shall mean advocate:

The expression "petty sessional court" shall mean sheriff court:

The expression "quarter sessions" shall mean the court of justiciary:

The expression "registration officer" shall mean an assessor under the enactments relating to the registration of parliamentary voters:

The expression "municipal borough" shall include royal burgh and burgh of regality and burgh of barony:

The expression "Acts relating to municipal corporations" shall include the General Police and Improvement (Scotland) Act, 1862, and any other Act relating to the constitution and government of burghs in Scotland:

The expression "mayor" shall mean provost or chief magistrate:

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The expression "alderman" shall mean bailie:

The expression "Summary Jurisdiction Acts" shall mean the Summary Jurisdiction (Scotland) Acts, 1864 and 1881, and any Acts amending the same.

(2.) The provisions respecting the attendance at the trial of an election petition of a representative of the Director of Public Prosecutions shall not apply to Scotland, and in place thereof the following provisions shall have effect:

(*a.*) At the trial of every election petition in Scotland Her Majesty's Advocate shall be represented by one of his deputies or by the procurator-fiscal of the sheriff court of the district who shall attend such trial as part of his official duty, and shall give all necessary assistance to the judge with respect to the citation of witnesses and recovery of documents:

(*b.*) If the judge shall grant a warrant for the apprehension, commitment, or citation of any person suspected of being guilty of a corrupt or illegal practice, the case shall be reported to Her Majesty's Advocate in order that such person may be brought to trial before the High Court of Justiciary or the sheriff, according to the nature of the case:

(*c.*) It shall be the duty of the advocate depute, or, in his absence, the procurator-fiscal, if it appears to him that a corrupt or illegal practice within the meaning of this Act has been committed by any person who has not received a certificate of indemnity, to report the case to Her Majesty's advocate in order to such person being brought to trial before the proper court, although no warrant may have been issued by the judge.

(3.) The jurisdiction of the High Court of Justice under this Act shall in Scotland be exercised by one of the divisions of the Court of Session, or by a judge of the said court to whom the same may be remitted by such division, and subject to an appeal thereto, and the Court of Session shall have power to make Acts of sederunt for the purposes of this Act.

(4.) Court of oyer and terminer shall mean a circuit court of justiciary, and the High Court of Justiciary shall have powers to make acts of adjournal regulating the procedure in appeals to the circuit court under this Act.

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(5.) All offences under this Act punishable on summary conviction may be prosecuted in the sheriff court in manner provided by the Summary Jurisdiction Acts, and all necessary jurisdictions are hereby conferred on sheriffs.

(6.) The authority given by this Act to the Director of Public Prosecutions in England shall in Scotland be exercised by Her Majesty's Advocate, and the reference to the Prosecution of Offences Act, 1879, shall not apply.

(7.) The expression "Licensing Acts" shall mean the Public Houses Acts Amendment (Scotland) Act, 1862, and the Publicans' Certificates (Scotland) Act, 1876, and the Acts thereby amended and therein recited.

(8.) The expression "register of licenses" shall mean the register kept in pursuance of section twelve of the Act of the ninth year of the reign of King George the Fourth, chapter fifty-eight.

(9.) The references to the Public Health Act, 1875, and to the Elementary Education Act, 1870, shall be construed to refer to the Public Health (Scotland) Act, 1867, and to the Elementary Education (Scotland) Act, 1872.

(10.) The power given by this Act to the Lord Chancellor in England shall in Scotland, except so far as relates to the justices of the peace, be exercised by the Lord Justice General.

(11.) Any reference to the Attorney-General shall refer to the Lord Advocate.

(12.) The provisions with respect to the removal of cases to the Central Criminal Court or to the trial of cases at the Roya Courts of Justice shall not apply.

(13.) The provisions of this Act with regard to costs shall not apply to Scotland, and instead thereof the following provision shall have effect:

The costs of petitions and other proceedings under this Act shall, subject to any regulations which the Court of Sessions may make by act of sederunt, be taxed as nearly as possible according to the same principles as costs between agent and client are taxed in a cause in that court, and the auditor shall not allow any costs, charges, or expenses on a higher scale.

Application of Act to Ireland. A.D. 1891.

Application of Act to Ireland.

261. This Act shall apply to Ireland, with the following modifications:

(1.) No person shall be tried for any offence against this Act under any of the provisions of the Prevention of Crime (Ireland) Act, 1882.

(2.) The expression "Summary Jurisdiction Acts" means, with reference to the Dublin Metropolitan Police District, the Acts regulating the powers and duties of justices of the peace and of the police in such district; and with reference to other parts of Ireland means the Petty Sessions (Ireland) Act, 1851, and any Acts amending the said Act.

(3.) The Supreme Court of Judicature in Ireland shall be substituted for the Supreme Court of Judicature.

(4.) The High Court of Justice in Ireland shall be substituted for the High Court of Justice in England.

(5.) The Lord High Chancellor of Ireland shall be substituted for the Lord High Chancellor of Great Britain.

(6.) The Attorney-General for Ireland shall be substituted for the Director of Public Prosecutions, and the reference to the prosecution of the Offences Act, 1879, shall not apply.

(7.) Any reference to the Licensing Acts shall be construed to refer to the Licensing Acts (Ireland), 1872–1874.

(8.) The Public Health (Ireland) Act, 1878, shall be substituted for the Public Health Act, 1875.

(9.) The provisions with respect to the removal of cases to the Central Criminal Court, or to the trial of cases at the Royal Courts of Justice, shall not apply to Ireland.

PART VII.

PARLIAMENTS TO BE ELECTED EVERY THREE YEARS.

Triennial Parliaments.

262. From and after the *passing of this Act*, and from and after the dissolution of the present Parliament, a Parliament shall be elected every *three years.*

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Day of election to be the same throughout the United Kingdom.

263. The election, which in this Act shall mean the nomination, and if no more candidates are nominated than there are vacancies to be filled, the declaration of the election of the nominated person or persons shall, in the case of a general election, be on one and the same day throughout the United Kingdom.

Polling day to be the same throughout the United Kingdom.

264. The day of polling shall also be on one and the same day, in the case of a general election, throughout the United Kingdom.

Date of general election to be fixed by Lord Chancellor.

265. The date of such general election shall be fixed by the Lord Chancellor or other person, and shall be stated in the writ or writs to be issued for the election of members to serve in Parliament.

Interval between day of nomination and election to be uniform.

266. The interval between the day of nomination and the day of election shall be as stated in section one hundred and eighty-three of this Act, subject to the proviso therein made.

Regulation as to date of general election.

267. In the event of any intermediate general election, the statutory general election by this Act provided, shall be held within three years from the *first day of October* next ensuing, after such general election as aforesaid and thereafter except there shall be some other intermediary appeal to the constituencies, in which and every case this section shall apply.

Issue of writs, &c.

268. The sections of this Act with respect to the issue of writs and the return of writ of summons for an election shall in all cases apply, both in respect of the dates of nomination and election, and otherwise, in so far as they may and can apply, whether it be for a general election, or bye election in case of vacancy.

Provisions of other sections to apply.

269. In all other respects the several provisions of this Act shall apply and have effect in all matters pertaining to any election, whether such election be the statutory election, triennially, an intermediate election held before the expiration of the statutory term, or a bye election in case of any vacancy.

Statutory election to be held in October.

270. The statutory general election, to be elected triennially, shall be held during the month of October, on the dates mentioned in the writs issued by the Lord Chancellor.

Election to be on new register.

271. The election shall be held on the new register, to come into force on the *first day of October* in each year, as by this Act provided, for the year in which such general election shall take place.

Intermediate elections.

272. Nothing in this Act provided, or in pursuance thereof, shall prevent any appeal to the constituencies by the Government

with the assent and consent of Her Majesty, at any time during the triennial term before mentioned.

Proviso.

Provided that such appeal to the constituencies shall not take place in the same year in which by lapse of time the general election would otherwise have taken place, nor within six months of the election previously held.

PART VIII.

Public Houses to be closed on Day of Election.

Closing of licensed premises on day of polling.

273. On the day appointed for the polling in any parliamentary election, all premises licensed for the sale of intoxicating liquors by retail, to be consumed on the premises, and which are situate in the constituency in which such election takes place, shall be closed throughout the day, during and until the poll has closed.

Penalty for opening for the sale of intoxicating liquors.

274. Any person who during the time at which premises for the sale of intoxicating liquors are directed to be closed by or in pursuance of this Act, sells or exposes for sale in such premises any intoxicating liquor, or opens or keeps open such premises for the sale of intoxicating liquors, or allows any intoxicating liquors to be consumed on the premises, except by his family, his servants, and himself; and any person licensed to sell any intoxicating liquors by retail under the Inland Revenue Acts or any other Act or Acts for consumption off the premises, who shall sell or deliver to any person any intoxicating liquors as aforesaid, shall be liable on a first conviction to a penalty not exceeding *five pounds*, and to have the same recorded on his license.

Effect of second conviction for violation of Act.

275. If any licensed person shall be convicted a second time under this Act his license and the license for such house or premises shall be thereby forfeited, and he shall be disqualified for a term of *five years* from the date of such second conviction from holding any license.

Persons found on licensed premises during prohibited hours guilty of offence.

276. If any person be found on any licensed premises consuming, or who have been consuming intoxicating liquors as aforesaid during prohibited hours, he or they shall be deemed guilty of an offence under this Act, and shall be liable on summary conviction to a penalty of *forty shillings*, or in default to imprisonment for *seven days*.

Mode of trying offences under Act.

277. Offences under this Act may be tried either before two ordinary justices of the peace or before one stipendiary magistrate.

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A defendant who considers himself to have been wrongfully convicted may appeal to the quarter sessions in accordance with the provisions of the Summary Jurisdiction Act, 1879, 42 & 43 Vict. c. 49., whereupon such conviction may be quashed, or the penalty may be reduced as to the quarter sessions may seem just.

Powers of constable under Act.

278. Any constable may, for the purpose of preventing or detecting the violation of this Act, at all times on the polling day enter on any licensed premises, and every person who, by himself or by any person in his employ or acting by his direction or with his consent, refuses or fails to admit any constable in the execution of his duty demanding to enter in pursuance of this section, shall be liable to a penalty not exceeding *ten pounds.*

Exceptions in favour of lodgers and railway travellers.

279. Nothing in this Act shall preclude a person licensed to sell any intoxicating liquor to be consumed on the premises from selling such liquor at any time to persons lodging in his house, nor shall anything in this Act contained be taken to preclude the sale at any time at any railway station of intoxicating liquors to persons actually arriving at or departing from such station by railway.

SCHEDULES to this Act.

A.D. 1891.

FIRST SCHEDULE.

FORM of OATH of ALLEGIANCE to be taken by Alien on becoming naturalised, 33 & 34 Vict. c. 14. s. 9.

I, ... do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors according to law. . . . . So help me God.

In lieu of oath affirmation may be made, in accordance with any Act for the time being in force relating to affirmation in lieu of oath.

SECOND SCHEDULE.

a. *Form of Requisition by Registration Officer requiring Names of Residents.*

To *E. F.*

You are hereby required to fill up accurately the underwritten form:—

If this form is not returned to the registration officer at his official place of business, accurately filled up within fourteen days after the service hereof, you will be liable under the Parliamentary Elections Act, 1891, to a penalty not exceeding forty shillings, and you may be ordered to pay any costs incurred by any person whose name is omitted from this return in making or sustaining a claim to be registered as a parliamentary voter.

Dated this . . . day of . . . 18 .

A. B.,
C. D.,
Registration officer for the constituency of

FORM OF RETURN.

1.	2.
House in respect of which the Person making the Return is rated (or liable to be rated, or occupier).	Surname and other name of every man who had on the last during the whole of three months being resident in the house specified in the first column, or in any part thereof.

I declare that the above is a true and complete return.

(Signed) *E. F.*

Dated this day of 18 .

This form is to be substituted for Form A. in the Second and Third Schedules to the Registration Act, 1885.

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b. *Form of Claim to be on Register.*

To the registration officer for the county, borough, or division of the county or borough of .

I, of

hereby declare that I am 21 years of age, and have resided in this division for three calendar months, and do hereby claim to be placed on the list of registered voters for the division of .

Signature of claimant

Date 18 .

I have witnessed the signature of the above claimant, and believe the claim to be correct.

Signature of witness

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c. *Form of Objection to Voter.*

To be sent to the person objected to by the overseer or returning officer.

Exception having been taken by Mr. of to your being on the list of registered electors for the of , you are hereby requested to attend before me [*or*] on at [*time*] to substantiate your claim. It is necessary that you should bring with you the attesting witness to your claim, or failing him, some other reliable witness who of his own knowledge can bear witness to your qualification.

Signed .

Dated 18 .

THIRD SCHEDULE.

A.D. 1891.

The register of voters entitled to vote in the election of a member or members for (the description of each constituency to be inserted).

Form A. or Form B. are to be used according to the circumstances.

FORM A.

First or other number. } Polling District.

Second or other number. } Ward.

No. for Reference.	Street, Square, Lane, or other Place in which Houses are distinguished by Number to be stated in Alphabetical Order, at which Voter has resided for Three Months prior to 24th June.	Surname and Christian Name.	Occupation to be added for identity, if necessary.	District to identify Locality &c.
1	1, Alfred Street -	Fawcett, John Thomas -		Tottenham Court Road, W.C.
		Dickens, Charles -		"
2	2, " " -	Cobden, Richard - -		"
3	1, Fenwick Street -	Hallam, Henry - -		Mile End, E.
4	2, " " -	Browning, Thomas -		"
5	3, " " -	Elliot, George - -		"

(Signed) *A. B.*,
Registration officer for the Division of

In the official register of voters the number for reference will be omitted, and the serial register number will be inserted against each name according to the provisions of the Act, and such serial number will be the number on the official register of each voter.

FORM B.

First or other number. } Polling District.

Second or other number. } Ward.

Number of Reference.	Surname and Christian Name of the Voter to be inserted Alphabetically.	Residence where Voter has resided for three months prior to 24th June.	Occupation to be added if necessary, for identity.	District to identify Locality.
1	Arnold, Mathew -	Johnson Park -		Eastwell, Kent.
2	Dickens, Charles -	Sutton Park -		Coombe, Kent.

(Signed) *A. B.*
Registration officer for the constituency of

In the official register of voters the number for reference will be omitted, and the serial register number will be inserted against each name according to the provisions of the Act, and such serial number will be the number on the official register of each voter.

FOURTH SCHEDULE.

FORM OF REMOVAL CARD.

To all whom it may concern.

This is to certify that now on the list of registered electors for the of and numbered on the said list, having made the statutory declaration that he is the person herein described, and being desirous, in consequence of removal to some other electoral division, to qualify as a registered elector in such division, is entitled to qualify as an elector upon depositing this card in accordance with section 30 of this Act.

Dated 18 . (Seal.)

Signed Returning Officer.

Form of Declaration.

I do solemnly declare that I am the whose name is given in the list of registered electors for the of and numbered on the said list, and that, being about to remove (or having removed) from I desire to have a removal card for the purpose of voting in another electoral division during the continuance of the register now in force.

Dated 18 . Signed

Attested by

FIFTH SCHEDULE.

Form of Official Envelope.

a. *Front side of Envelope.*

Registered Number 1,234	*Prepaid* Registered Letter.

To

[Mr. William Abraham],

Elector.

Election.	*Address.*
Bethnal Green (North East Division), 1887.	(No. 34, Alfred Place, Victoria Park, E.).

In the official envelope supplied, name and address in the brackets to be omitted.

b. *Back of Envelope.*

To be delivered at the residence of the registered elector's name in address.

V.R.

Envelope to be preserved as evidence of delivery, or for verification should occasion for inquiry arise.

Any use or imitation of this envelope for election purposes otherwise than as provided in this Act to be an illegal practice.

SIXTH SCHEDULE.

FORM OF POLLING CARD.

(Official Stamp.)

To John Jones,

23, Wilson Street, Hackney Road, E.

No. on Register. 1,234.

Bethnal Green.
North East Division.
Date of election, October 10th, 1887.
Polling station, Bonner Lane schoolroom.
Hours of poll, between 8 a.m. and 9 p.m.

Candidates.

1. Darwin, Charles.
2. Hampden, John.
3. Huxley, Thomas Henry.
4. Milton, John.
5. Shakespeare, William.

N.B.—You can only vote for one of the candidates, thus ×.

SEVENTH SCHEDULE.

PART I.

RULES FOR PARLIAMENTARY ELECTIONS.

Regulations for Elections.

1. The returning officer shall, in the case of an election, on the day on which he receives the writ or the following day, give public notice, between the hours of nine in the morning and four in the afternoon, of the day on

which and the place at which he will proceed to, and of the time appointed for the election, and of the day on which the poll will be taken in case the election is contested, and of the time and place at which forms of nomination papers may be obtained, and shall send one of such notices by post, under cover, to the postmaster of the principal post office of each polling place in the county, endorsed with the words "Notice of election," and the same shall be forwarded free of charge; and the postmaster receiving the same shall forthwith publish or cause to be published such notice at all post offices in the division in the manner in which post office notices are usually published.

2. The day of election shall be fixed by the Lord Chancellor as follows; that is to say, in the case of an election for a county or borough or division of county or borough, not earlier than the tenth day after the date of issue of writ, as the day of nomination, and for the polling the sixth or seventh day after the day of nomination as may be fixed in the writ issued as aforesaid.

3. The place of election shall be a convenient room situate in the town in which such election would have been held if this Act had not passed, or where the election would not have been held in a town, then situate in such town in the county as the returning officer may from time to time determine as being in his opinion most convenient for the electors.

4. The time appointed for the nomination and, should there be no opposition, the election shall be between the hours of eleven o'clock in the forenoon and one o'clock afternoon and the returning officer shall attend during those two hours to receive any nomination legally tendered in pursuance of this Act.

5. Each candidate shall be nominated by a separate nomination paper.

6. Each candidate shall be described in the nomination paper in such manner as in the opinion of the returning officer is calculated to sufficiently identify such candidate; the description shall include his names, his abode, and his rank, profession, or calling, and his surname shall come first in the list of his names. No objection to a nomination paper on the ground of the description of the candidate therein being insufficient, or not being in compliance with this rule, shall be allowed or deemed valid, unless such objection is made by the returning officer, or by some other person, and admitted valid by the returning officer at or immediately after the time of the delivery of the nomination paper.

7. The returning officer shall supply a form of nomination paper to any registered elector requiring the same during such two hours as the returning officer may fix, between the hours of ten in the morning and two in the afternoon on each day intervening between the day on which notice of the election was given and the day of election, and during the time appointed for the election; but nothing in this Act shall render obligatory the use of a nomination paper supplied by the returning officer, so, however, that the paper be in the form prescribed by this Act.

8. The nomination papers shall be delivered to the returning officer at the place of election during the time appointed for the election; and the candidate nominated by each nomination paper, and his proposer and seconder, and one other person selected by the candidate, and no person other than aforesaid,

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shall, except for the purpose of assisting the returning officer, be entitled to attend the proceedings during the time appointed for the election.

9. If the election is contested the returning officer shall, as soon as practicable after adjourning the election, give public notice of the day on which the poll will be taken, as specified in the writ, and of the candidates described as in their respective nomination papers, and of the names of the persons who subscribe the nomination paper of each candidate, and of the order in which the names of the candidates will be printed in the ballot paper, and, in the case of an election, deliver to the postmaster of the principal post office of the town in which is situate the place of election a paper, signed by himself, containing the names of the candidates nominated, and stating the day on which the poll is to be taken, and the postmaster shall forward the information contained in such paper by telegraph, free of charge, to the several postal telegraph offices situate in the division for which the election is to be held, and such information shall be published forthwith at each such office in the manner in which post office notices are usually published.

10. If any candidate nominated during the time appointed for the election is withdrawn in pursuance of this Act, the returning officer shall give public notice of the name of such candidate, and the names of the persons who subscribed the nomination paper of such candidate, as well as of the candidates who stood nominated or were elected.

11. The returning officer shall, on the nomination paper being delivered to him, forthwith publish notice of the name of the person nominated as a candidate, and of the names of his proposer and seconder, by placarding or causing to be placarded the names of the candidate and his proposer and seconder in a conspicuous position outside the building in which the room is situate appointed for the election and elsewhere in the division.

12. A person shall not be entitled to have his name inserted in any ballot paper as a candidate unless he has been nominated in manner provided by this Act, and every person whose nomination paper has been delivered to the returning officer during the time appointed for the election shall be deemed to have been nominated in manner provided by this Act, unless objection be made to his nomination paper by the returning officer before the expiration of the time appointed for the election.

13. The returning officer shall decide on the validity of every objection made to a nomination paper, and his decision, if disallowing the objection, shall be final; but if allowing the same, shall be subject to reversal on petition questioning the election or return.

The Poll.

14. The poll shall take place on the day appointed in the writ of election.

15. At every polling place the returning officer shall provide a sufficient number of polling stations for the accommodation of the electors entitled to vote at such polling place, and shall distribute the polling stations amongst those electors in such manner as he thinks most convenient, provided that in a county or district borough there shall be at least one polling station at each contributory place of such county or borough.

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16. Each polling station shall be furnished with such number of compartments, in which the voters can mark their votes screened from observation, as the returning officer thinks necessary, so that at least one compartment be provided for every one hundred and fifty electors entitled to vote at such polling station.

17. A separate room or separate booth may contain a separate polling station, or several polling stations may be constructed in the same room or booth.

18. No person shall be admitted to vote at any polling station except the one allotted to him.

19. The returning officer shall give public notice of the situation of polling stations and the description of voters entitled to vote at each station, and of the mode in which electors are to vote, and the names of candidates, as in this Act provided.

20. The returning officer shall provide each polling station with materials for voters to mark the ballot papers, with instruments for stamping thereon the official mark, and with copies of the register of voters, or such part thereof as contains the names of the voters allotted to vote at such station. He shall keep the official mark secret, and an interval of not less than seven years shall intervene between the use of the same official mark at elections for the same county or borough or division of a county or borough.

21. The returning officer shall appoint a presiding officer to preside at each station, and the officer so appointed shall keep order at his station, shall regulate the number of electors to be admitted at a time, and shall exclude all other persons except the clerks, the candidates, the agents of the candidates, and the constables on duty.

22. Every ballot paper shall contain a list of the candidates described as in their respective nomination papers, and arranged alphabetically in the order of their surnames, and (if there are two or more candidates with the same surname) of their other names: it shall be in the form set forth in the Eighth Schedule to this Act or as near thereto as circumstances admit, and shall be capable of being folded up.

23. Every ballot box shall be so constructed that the ballot papers can be introduced therein, but cannot be withdrawn therefrom, without the box being unlocked. The presiding officer at any polling station, just before the commencement of the poll, shall show the ballot box empty to such persons, if any, as may be present in such station, so that they may see that it is empty, and shall then lock it up, and place his seal upon it, in such manner as to prevent its being opened without breaking such seal, and shall place it in his view for the receipt of ballot papers, and keep it so locked and sealed.

24. Immediately before a ballot paper is delivered to an elector, it shall be marked on both sides with the official mark, either stamped or perforated, and the number, name, and description of the elector as stated in the copy of the register shall be called out, and the number of such elector shall be marked on the counterfoil, and a mark shall be placed in the register against the

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number of the elector, to denote that he has received a ballot paper, but without showing the particular ballot paper which he has received.

25. The elector, on receiving the ballot paper, shall forthwith proceed into one of the compartments in the polling station, and there mark his paper, and fold it up so as to conceal his vote, and shall then put his ballot paper, so folded up, into the ballot box ; he shall vote without undue delay, and shall quit the polling station as soon as he has put his ballot paper into the ballot box.

26. The presiding officer, on the application of any voter who is incapacitated by blindness or other physical cause from voting in manner prescribed by this Act, or (if the poll be taken on the Jewish Sabbath or festival) of any voter who declares that he is of the Jewish persuasion, and objects on religious grounds to vote in manner prescribed by this Act, or of any voter who makes such a declaration as herein-after mentioned that he is unable to read, shall, in the presence of the agents of the candidates, cause the vote of such voter to be marked on a ballot paper in manner directed by such voter, and the ballot paper to be placed in the ballot box, and the name and number on the register of voters of every voter whose vote is marked in pursuance of this rule, and the reason why it so marked, shall be entered on a list, in this Act called "the list of votes marked by the presiding officer."

The said declaration, in this Act referred to as "the declaration of inability to read," shall be made by the voter at the time of polling, before the presiding officer, who shall attest it in the form herein-after mentioned, and no fee, stamp, or other payment shall be charged in respect of such declaration, and the said declaration shall be given to the presiding officer at the time of voting.

27. If a person, representing himself to be a particular elector named on the register, applies for a ballot paper after another person has voted as such elector, the applicant shall, upon duly answering the questions and taking the oath permitted by law to be asked of and to be administered to voters at the time of polling, be entitled, if he thinks fit, to mark a ballot paper in the same manner as any other voter, but the ballot paper (in this Act called a tendered ballot paper) shall be of a colour differing from the other ballot paper, and, instead of being put into the ballot box, shall be given to the presiding officer and endorsed by him with the name of the voter and his number in the register of voters, and set aside in a separate packet, and shall not be counted by the returning officer. And the name of the voter and his number on the register shall be entered on a list, in this Act called the tendered votes list.

28. A voter who has inadvertently dealt with his ballot paper in such manner that it cannot be conveniently used as a ballot paper, may, on delivering to the presiding officer the ballot paper so inadvertently dealt with, and proving the fact of the inadvertence to the satisfaction of the presiding officer obtain another ballot paper in the place of the ballot paper so delivered up (in this Act called a spoilt ballot paper), and the spoilt ballot paper shall be immediately cancelled.

29. The presiding officer of each station, as soon as practicable after the close of the poll, shall, in the presence of the agents of the candidates, make up

into separate packets sealed with his own seal and the seals of such agents of the candidates as desire to affix their seals,—

(1.) Each ballot box in use at his station, unopened but with the key attached; and

(2.) The unused and spoilt ballot papers, placed together; and

(3.) The tendered ballot papers; and

(4.) The marked copies of the register of voters, and the counterfoils of the ballot papers; and

(5.) The tendered votes list, and the list of votes marked by the presiding officer, and a statement of the number of the voters whose votes are so marked by the presiding officer under the heads "physical incapacity," "Jews," and "unable to read," and the declarations of inability to read;

and shall deliver such packets to the returning officer.

30. The packets shall be accompanied by a statement made by such presiding officer, showing the number of ballot papers entrusted to him, and accounting for them under the heads of ballot papers in the ballot box, unused, spoilt, and tendered ballot papers, which statement is in this Act referred to as the ballot paper account.

Counting Votes.

31. The candidates may respectively appoint agents to attend the counting of the votes, and they may themselves be present at such counting.

32. The returning officer shall make arrangements for counting the votes in the presence of the agents of the candidates as soon as practicable after the close of the poll, and shall give to the agents of the candidates appointed to attend at the counting of the votes notice in writing of the time and place at which he will begin to count the same.

33. The returning officer, his assistants and clerks, and the candidates and agents of the candidates, and no other person, except with the sanction of the returning officer, may be present at the counting of the votes.

34. Before the returning officer proceeds to count the votes, he shall, in the presence of the agents of the candidates, open each ballot box, and, taking out the papers therein, shall count and record the number thereof, and then mix together the whole of the ballot papers contained in the ballot boxes. The returning officer, while counting and recording the number of ballot papers and counting the votes, shall keep the ballot papers with their faces upwards, and take all proper precautions for preventing any person from seeing the numbers printed on the backs of such papers.

35. The returning officer shall, so far as practicable, proceed continuously with counting the votes, allowing only time if need be for refreshment, and excluding (except so far as he and the agents otherwise agree) the hours between nine o'clock at night and nine o'clock on the succeeding morning. During the excluded time the returning officer shall place the ballot papers and other documents relating to the election under his own seal and the seals of such of the agents of the candidates as desire to affix their seals, and shall otherwise take proper precautions for the security of such papers and documents.

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36. The returning officer shall endorse "rejected" on any ballot paper which he may reject as invalid, and shall add to the endorsement "rejection objected to," if an objection be in fact made by any agent to his decision. The returning officer shall report to the Clerk of the Crown in Chancery the number of ballot papers rejected and not counted by him under the several heads of—

1. Want of official mark;
2. Voting for more candidates than entitled to;
3. Writing or mark by which voter could be identified;
4. Unmarked or void for uncertainty;

and shall on request allow any agents of the candidates, before such report is sent, to copy it.

37. Upon the completion of the counting, the returning officer shall seal up in separate packets the counted and rejected ballot papers. He shall not open the sealed packet of tendered ballot papers or marked copy of the register of voters and counterfoils, but shall proceed, in the presence of the agents of the candidates, to verify the ballot paper account given by each presiding officer by comparing it with the number of ballot papers recorded by him as aforesaid, and the unused and spoilt ballot papers in his possession and the tendered votes list, and shall reseal each sealed packet after examination. The returning officer shall report to the Clerk of the Crown in Chancery the result of such verification, and shall, on request, allow any agents of the candidates, before such report is sent, to copy it.

38. Lastly, the returning officer shall forward to the Clerk of the Crown in Chancery (in manner in which the poll books are by any existing enactment required to be forwarded to such clerk, or as near thereto as circumstances admit) all the packets of ballot papers in his possession, together with the said reports, the ballot paper accounts, tendered votes lists, lists of votes marked by the presiding officer, statements relating thereto, declarations of inability to read, and packets of counterfoils, and marked copies of registers, sent by each presiding officer, endorsing on each packet a description of its contents and the date of the election to which they relate, and the name of the county or borough for which such election was held; and the term poll book in any such enactment shall be construed to include any document forwarded in pursuance of this rule.

39. The Clerk of the Crown shall retain for a year all documents relating to an election forwarded to him in pursuance of this Act by a returning officer, and then, unless otherwise directed by an order of the House of Commons, or of one of Her Majesty's Superior Courts, shall cause them to be destroyed.

40. No person shall be allowed to inspect any rejected ballot papers in the custody of the Clerk of the Crown in Chancery, except under the order of the House of Commons or under the order of one of Her Majesty's Superior Courts, to be granted by such court on being satisfied by evidence on oath that the inspection or production of such ballot papers is required for the purpose of instituting or maintaining a prosecution for an offence in relation to ballot papers, or for the purpose of a petition questioning an election or return; and any such order for the inspection or production of ballot papers may be made subject to such conditions as to persons, time, place, and mode

of inspection or production as the House or court making the same may think expedient, and shall be obeyed by the Clerk of the Crown in Chancery. Any power given to a court by this rule may be exercised by any judge of such court at chambers.

41. No person shall, except by order of the House of Commons or any tribunal having cognizance of petitions complaining of undue returns or undue elections, open the sealed packet of counterfoils after the same has been once sealed up, or be allowed to inspect any counted ballot papers in the custody of the Clerk of the Crown in Chancery; such order may be made subject to such conditions as to persons, time, place, and mode of opening or inspection as the House or tribunal making the order may think expedient; provided that on making and carrying into effect any such order, care shall be taken that the mode in which any particular elector has voted shall not be discovered until he has been proved to have voted, and his vote has been declared by a competent court to be invalid.

42. All documents forwarded by a returning officer in pursuance of this Act to the Clerk of the Crown in Chancery, other than ballot papers and counterfoils, shall be open to public inspection at such time and under such regulations as may be prescribed by the Clerk of the Crown in Chancery, with the consent of the Speaker of the House of Commons, and the Clerk of the Crown shall supply copies of or extracts from the said documents to any person demanding the same, on payment of such fees and subject to such regulations as may be sanctioned by the Treasury.

43. Where an order is made for the production by the Clerk of the Crown in Chancery of any document in his possession relating to any specified election, the production by such clerk or his agent of the document ordered, in such manner as may be directed by such order, or by a rule of the court having power to make such order, shall be conclusive evidence that such document relates to the specified election; and any endorsement appearing on any packet of ballot papers produced by such Clerk of the Crown or his agent shall be evidence of such papers being what they are stated to be by the endorsement. The production from proper custody of a ballot paper purporting to have been used at any election, and of a counterfoil marked with the same printed number and having a number marked thereon in writing, shall be primâ facie evidence that the person who voted by such ballot paper was the person who at the time of such election had affixed to his name in the register of voters at such election the same number as the number written on such counterfoil.

General Provisions.

44. The return of a member or members elected to serve in Parliament for any county or borough shall be made by a certificate of the names of such member or members under the hand of the returning officer endorsed on the writ of election for such county or borough, and such certificate shall have effect and be dealt with in like manner as the return under the existing law, and the returning officer may, if he think fit, deliver the writ, with such certificate endorsed to the postmaster of the principal post office of the place

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of election, or his deputy, and in that case he shall take a receipt from the postmaster or his deputy for the same; and such postmaster or his deputy shall then forward the same by the first post, free of charge, under cover, to the Clerk of the Crown, with the words "Election Writ and Return" endorsed thereon.

45. The returning officer shall, as soon as possible, give public notice of the names of the candidates elected, and, in the case of a contested election, of the total number of votes given for each candidate, whether elected or not.

46. Where the returning officer is required or authorised by this Act to give any public notice, he shall carry such requirement into effect by advertisements, placards, handbills, or such other means as he thinks best calculated to afford the fullest information to the electors.

47. The returning officer may, if he think fit, preside at any polling station, and the provisions of this Act relating to a presiding officer shall apply to such returning officer with the necessary modifications as to things to be done by the returning officer to the presiding officer, or the presiding officer to the returning officer.

48. In the case of a contested election for any county or borough, the returning officer may, in addition to any clerks, appoint competent persons to assist him in counting the votes.

49. No person shall be appointed by a returning officer for the purposes of an election who has been employed by any other person in or about the election.

50. The presiding officer may do, by the clerks appointed to assist him, any act which he is required or authorised to do by this Act at a polling station except ordering the arrest, exclusion, or ejection from the polling station of any person.

51. A candidate may himself undertake the duties which any agent of his if appointed might have undertaken, or may assist his agent in the performance of such duties, and may be present at any place at which his agent may, in pursuance of this Act, attend.

52. The name and address of every agent of a candidate appointed to attend the counting of the votes shall be transmitted to the returning officer one clear day at the least before the opening of the poll; and the returning officer may refuse to admit to the place where the votes are counted any agent whose name and address has not been so transmitted, notwithstanding that his appointment may be otherwise valid, and any notice required to be given to an agent by the returning officer may be delivered at or sent by post to such address.

53. If any person appointed an agent by a candidate for the purposes of attending at the polling station or at the counting of the votes dies, or becomes incapable of acting during the time of the election, the candidate may appoint another agent in his place, and shall forthwith give to the returning officer notice in writing of the name and address of the agent so appointed.

54. Every returning officer, and every officer, clerk, or agent authorised to attend at a polling station, or at the counting of the votes, shall, before the opening of the poll, make a statutory declaration of secrecy, in the presence, if he is the returning officer, of a justice of the peace, and if he is any other

officer or an agent, of a justice of the peace or of the returning officer; but no such returning officer, officer, clerk, or agent as aforesaid shall, save as aforesaid, be required, as such, to make any declaration or take any oath on the occasion of any election. A.D. 1891.

55. Where in this Act any expressions are used requiring or authorising or inferring that any act or thing is to be done in the presence of the agents of the candidates, such expressions shall be deemed to refer to the presence of such agents of the candidates as may be authorised to attend, and as have in fact attended, at the time and place where such act or thing is being done, and the non-attendance of any agents or agent at such time and place shall not, if such act or thing be otherwise duly done, in anywise invalidate the act or thing done.

56. In reckoning time for the purposes of this Act, Sunday, Christmas Day, Good Friday, and any day set apart for a public fast or public thanksgiving, shall be excluded; and where anything is required by this Act to be done on any day which falls on the above-mentioned days such thing may be done on the next day, unless it is one of the days excluded as above mentioned.

57. In this Act—

The expression "division" or "electoral division" means any county, borough, or division of a county or borough, in any and every part of the United Kingdom; and

The expression "polling place" or "polling station" means the place in any county or borough, or division of a county or borough, or any part thereof in which a separate booth is required or authorised by law to be provided; and

The expression "agents of the candidates," used in relation to a polling station, means agents appointed in pursuance of this Act.

Part II.

Modifications in Application of Part One of Schedule to Scotland.

58. In Scotland, the place of election shall be a convenient room situate in the town in which the writ for the election would, if this Act had not passed, have been proclaimed.

59. In Scotland, the candidates may respectively appoint agents to attend at the polling stations. The ballot papers and other documents other than the return required to be sent to and kept by the Clerk of the Crown in Chancery shall, in Scotland, be kept by the sheriff clerks of the respective counties in which the returns (including those for burghs) are made, and the provisions of this schedule relating thereto shall be construed as if the sheriff clerk were substituted for Clerk of the Crown in Chancery.

60. In Scotland, the term "division" shall mean and include the combined burghs and towns specified in Schedule E. of the Act of the session of the second and third years of the reign of King William the Fourth, chapter sixty-five, intituled "An Act to amend the Representation of the People in Scotland;" and in Schedule A. of the Representation of the People (Scotland) Act. 31 & 32 Vict. c. 48.

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Modifications in Application of Part One of Schedule to Ireland.

61. The expression "Clerk of the Crown in Chancery" in this schedule shall mean, as regards Ireland, "the Clerk of the Crown and Hanaper in Ireland."

62. A presiding officer at a polling station in Ireland need not be a freeholder of the county.

As to Votes at Elections for the Universities by means of Voting Papers.

Electors to vote by means of voting papers.

63. It shall be lawful for electors at elections for burgesses to serve in Parliament for the universities in this Act mentioned in lieu of attending to vote in person, to nominate any other elector or electors of the same university, competent to make the declaration herein-after mentioned, to deliver for them at the poll voting papers containing their votes. Every such voting paper shall bear date subsequently to the date of the writ for any election of a member to serve in Parliament for such university, and shall contain the surname, name, or names of and sufficient description of the candidate or candidates thereby voted for, and the surname, name, or names of and sufficient description of the elector or electors authorised on behalf of the voter to tender such voting paper at the poll, and shall be according to the effect prescribed in the form appended to these regulations. Such voting paper, the aforesaid date and names being previously filled in, shall, on any day subsequent to the date of the said writ, any person now by law authorised to administer oaths who shall certify and attest the fact of such voting paper having been so signed in his presence, by signing at the foot thereof a certificate or attestation in the form or to the effect prescribed in the said form, with his name and usual address.

Voting papers to be read, and votes recorded.

64. The voting paper, signed and certified as aforesaid, after the same has been offered for inspection to any person entitled to object to such votes and who may have demanded to inspect the same, may be delivered to the vice chancellor of the university for which the election is held, or to any pro vice chancellor appointed by him, or, in the case of the University of Dublin, to the Provost of Trinity College, or to any person lawfully deputed to act for him, at any one of the appointed polling places, during the appointed hours of polling, by any one of the persons therein nominated in that behalf, who shall, on tendering such voting paper at the poll, read out the name of the voter subscribing such paper, and the said vice chancellor, pro vice chancellor, provost, or deputy shall receive the voting papers as the same shall be delivered, and shall cause the votes thereby given, or such of them as may not appear to be contrary to the provisions of this Act, to be recorded in the manner heretofore used, in all respects as if such votes had been given by the electors attending in person; and all votes so recorded shall have the same validity and effect as if they had been duly given by the voters in person: Provided always, that no person shall be entitled to vote by more than one voting paper at any election, and that no voting paper containing the names of more candidates than there are burgesses to be elected at such elections shall be received or recorded: Provided also, that no voting paper shall be received or recorded unless the person tendering the same shall make the following declaration, which he shall sign at the foot or back thereof:

"I solemnly declare, that I verily believe that this is the paper by which he "intends to vote pursuant to the provisions of the Universities Elections Act, "1861, and Parliamentary Elections Act, 1889." A.D. 1891.

Provided also, that no voting paper shall be so received and recorded if the voter signing the same shall have already voted in person at the same election: Provided also, that every such elector shall be entitled to vote in person, notwithstanding that he has duly signed and transmitted a voting paper to another elector, if such voting paper has not been already tendered at the poll.

Form of Voting Paper for University Voters.

University Election, 18 .

I *A.B.* [*Surname of the elector in full and Christian name or initial, his college or hall, if any, and his degree or academical rank or office, if any, to be here inserted*], do hereby declare, that I have signed no other voting paper at this election, and do hereby give my vote at this election for

And I nominate - - *C.D.*
E.F.
G.H.

or one of them, to deliver this voting paper at the poll.

Witness my hand this day of 18 .

(Signed) *A.B.* of [*the elector's place of residence to be here inserted*].

Signed in my presence by the said *A.B.*, to me, on the above-mentioned day of 18 , the name [*or* names] of as the candidate [*or* candidates] voted for having been previously filled in.

(Signed) *Z.M.* of [*the witness's place of residence to be here inserted,*]

[a person authorised by law to administer oaths.]

Part III.

Rules for Municipal Elections.

65. In the application of the provisions of this schedule to municipal elections, the following modifications shall be made:—

(*a.*) The expression "register of voters" means the burgess roll of the burgesses of the borough, or, in the case of an election for the ward of a borough, the ward list; and the mayor shall provide true copies of such register for each polling station:

(*b.*) All ballot papers and other documents which, in the case of a parliamentary election, are forwarded to the Clerk of the Crown in Chancery shall be delivered to the town clerk of the municipal borough in which the election is held, and shall be kept by him among the records of the borough: and the provisions of part one of this schedule with respect to the inspection, production, and destruction of such ballot papers and documents, and to the copies of such documents, shall apply respectively

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to the ballot papers and documents so in the custody of the town clerk, with these modifications; namely,

(*a.*) Any order of the county court having jurisdiction in the borough, or any part thereof, or of any tribunal in which a municipal election is questioned, shall be substituted for an order of the House of Commons, or of one of Her Majesty's Superior Courts; but an appeal from such county court may be had in like manner as in other cases in such county court;

(*b.*) The regulations for the inspection of documents and the fees for the supply of copies of documents of which copies are directed to be supplied, shall be prescribed by the council of the borough with the consent of one of Her Majesty's Principal Secretaries of State; and subject as aforesaid, the town clerk, in respect of the custody and destruction of the ballot papers and other documents coming into his possession in pursuance of this Act, shall be subject to the directions of the council of the borough:

(*c.*) Nothing in this schedule with respect to the day of the poll shall apply to a municipal election.

Part IV.

Modifications in Application of Part II. of Schedule to Scotland.

66. In part two of this schedule as applying to Scotland—

The expression "register of voters" means the register, list, or roll of persons entitled to vote in a municipal election made up according to the law for the time being in force.

The expression "county court" means the sheriff court.

The expression "town clerk" includes the clerk appointed by the Commissioners of Police under the Act of the session of the thirteenth and fourteenth years of the reign of Her present Majesty, chapter thirty-three, intituled "An Act to make more effectual provision for regulating the "police of towns and populous places in Scotland, and for paving, "draining, cleansing, lighting, and improving the same," and of the General Police and Improvement (Scotland) Act, 1862.

Modifications in Application of Part III. of Schedule to Ireland.

67. In part two of this schedule as applying to Ireland—

The expression "register of voters," in addition to the meaning specified in such part, means, in relation to any municipal borough subject to the provisions of a local Act requiring an annual revision of the lists of voters at municipal elections, the register of voters made in conformity with the said provisions of such local Act, and in relation to municipal boroughs to which Part II. of the Local Government (Ireland) Act, 1871, applies, the list to be made under the provisions of section twenty-seven of the said Act, and in relation to other municipal boroughs a list which the town clerk of every municipal borough is hereby authorised and directed to make, in like manner in every respect as if the provisions of the said section were applicable to and in force within such municipal borough.

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The expression "county court" means the Civil Bill Court.

The expression "town clerk" includes clerk to the commissioners, municipal commissioners, town commissioners, or township commissioners of any municipal borough, and any person executing the duties of such town clerk.

The expression "council of the borough" includes commissioners, municipal commissioners, and town commissioners of the town, and township commissioners of the township.

The expression "one of Her Majesty's Principal Secretaries of State" means the Chief Secretary of the Lord Lieutenant of Ireland.

EIGHTH SCHEDULE.

Note.—The forms contained in this schedule, or forms as nearly resembling the same as circumstances will admit, shall be used in all cases to which they refer and are applicable, and when so used shall be sufficient in law.

Writ for a County or Borough at a Parliamentary Election.

*Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, to the † of the county [*or* borough] of , greeting:

‡ Whereas by the advice of our Council we have ordered a Parliament to be holden at Westminster on the day of next. We command you that, the time and place of election herein stated being first duly given, namely on the day of 18 you do cause election to be made according to law of members [*or* a member] to serve in Parliament for the said county [*or* the division of the said county, *or* the borough, *or as the case may be*] of § and that you do cause the names of such members [*or* member] when so elected, whether they [*or* he] be present or absent, to be certified to us, in our Chancery, without delay.

Witness ourself at Westminster, the day of in the year of our reign, and in the year of our Lord 18 .

* *The name of the Sovereign may be altered when necessary.*
† *Insert "sheriff" or other returning officer.*
‡ *This preamble to be omitted except in case of a general election.*
§ *Except in a general election, insert here* in the place of A.B., deceased, *or otherwise, stating the cause of vacancy.*

Label or direction of Writ.

To the † of .

A writ of a new election of members [*or* member] for the said county [*or* division of a county *or* borough, *or as the case may be*].

Endorsement.

Received the within writ on the day of 18 .

(Signed) *A.B.*,

High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

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Certificate endorsed on the Writ.

I hereby certify, that the members [*or* member] elected for in pursuance of the within-written writ, are [*or* is] *A.B.*, of in the county of and *C.D.*, of in the county of .

(Signed) *A.B.*,
High Sheriff [*or* Sheriff, *or* Mayor, *or as the case may be*].

Note.—A separate writ will be issued for each county as defined for the purposes of a parliamentary election.

Form of Notice of Parliamentary Election.

The returning officer of the of will, on the day of now next ensuing, between the hours of and , proceed to the nomination, and, if there is no opposition, to the election, of a member [*or* members] for the said county [*or* division of a county *or* borough] at the*

* *Note.* Insert description of place and room.

Forms of nomination paper may be obtained at *, between the hours of and on .

Every nomination paper must be signed by two registered electors as proposer and seconder, and by eight other registered electors as assenting to the nomination.

Every nomination paper must be delivered to the returning officer by the candidate proposed, or by his proposer and seconder, between the said hours of and on the said day of at the said *.

Each candidate nominated, and his proposer and seconder, and one other person selected by the candidate, and no other persons, are entitled to be admitted to the room.

In the event of the election being contested, the poll will take place on the day of .

(Signed) *A.B.*,
Sheriff [*or* Mayor, *or as the case may be*].
day of 18 .

Take notice, that all persons who are guilty of bribery, treating, undue influence, personation, or other corrupt practices or any illegal practice at the said election will, on conviction of such offence, be liable to the penalties mentioned in that behalf in this Act.

Form of Nomination Paper in Parliamentary Election.

We, the undersigned *A.B.* of in the of and *C.D.* of in the of being electors for the of do

hereby nominate the following person as a proper person to serve as member for the said in Parliament: A.D. 1891.

Surname.	Other Names.	Abode.	Rank, Profession, or Occupation.
BROWN	JOHN - -	52, George St., Bristol	Merchant.
JONES	*or* WILLIAM DAVID -	High Elms, Wilts -	Esquire.
MERTON	*or* Hon. GEORGE TRAVIS, commonly called Viscount.	Swanworth, Berks -	Viscount.
SMITH	*or* HENRY SYDNEY -	72, High St., Bath -	Attorney.

(Signed) *A.B.*
C.D.

We, the undersigned, being registered electors of the do hereby assent to the nomination of the above-mentioned *John Brown* as a proper person to serve as member for the said in Parliament.

(Signed) *E.F.* of
G.H. of
I.J. of
K.L. of
M.N. of
O.P. of
Q.R. of
S.T. of

Note.—Where a candidate is an Irish peer, or is commonly known by some title, he may be described by his title as if it were his surname.

Form of Nomination Paper in Municipal Election.

Note.—The form of nomination paper in a municipal election shall as nearly as circumstances admit be the same as in the case of a parliamentary election.

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Form of Ballot Paper.

[Form of Front of Ballot Paper.]

Counterfoil No.

NOTE *The counterfoil is to have a number to correspond with that on the back of the Ballot Paper.*

DARWIN

(Charles Darwin, of 52, St. George's Square, London, author.)

HAMPDEN

(John Hampden, of High Elms, Wilts, Esq.)

MERTON

(Hon. George Travis, commonly called Viscount Merton, of Swanworth, Berks.)

SMITH

(Sydney Smith, of 72, High Street, Bath, barrister-at-law.)

[Form of Back of Ballot Paper.]

No.

Election for county [*or* borough, *or* ward].

18 .

Note.—The number on the ballot paper is to correspond with that in the counterfoil.

Directions as to printing Ballot Paper.

Nothing is to be printed on the ballot paper except in accordance with this schedule.

The surname of each candidate, and if there are two or more candidates of the same surname, also the other names of such candidates, shall be printed in large characters, as shown in the form, and the names, addresses, and descriptions, and the number on the back of the paper, shall be printed in small characters.

Form of Directions for the Guidance of the Voter in voting, which shall be printed in conspicuous Characters, and placarded outside every Polling Station and in every Compartment of every Polling Station. A.D. 1891.

The voter may vote for candidate .

The voter will go into one of the compartments, and, with the pencil provided in the compartment, place a cross on the right-hand side, opposite the name of each candidate for whom he votes, thus X.

The voter will then fold up the ballot paper so as to show the official mark on the back, and leaving the compartment will, without showing the front of the paper to any person, show the official mark on the back to the presiding officer, and then, in the presence of the presiding officer, put the paper into the ballot box, and forthwith quit the polling station.

If the voter inadvertently spoils a ballot paper, he shall not place it in the ballot box, but return it to the presiding officer, who will, if satisfied of such inadvertence, give him another paper.

If the voter votes for more than candidate , or places any mark on the paper by which he may be afterwards identified, his ballot paper will be void, and will not be counted.

If the voter fraudulently takes a ballot paper out of the polling station or deposits in the ballot box any other paper than the one given him by the officer, he will be guilty of a misdemeanor, and be subject to imprisonment for any term not exceeding six months, with or without hard labour.

Note.—These directions shall be illustrated by examples of the ballot paper.

Form of Statutory Declaration of Secrecy.

I solemnly promise and declare, That I will not at this election for do anything forbidden by section of this Act, which has been read to me.

Note.—The section must be read to the declarant by the person taking the declaration.

Form of Statutory Declaration of inability to read.

I, *A.B.*, of , being numbered on the Register of Voters for the county [*or* borough] of , do hereby declare that I am unable to read.

A.B., his mark.

day of .

I, the undersigned, being the presiding officer for the polling station for the county [*or* borough] of , do hereby certify, that

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the above declaration, having been first read to the above-named *A.B.*, was signed by him in my presence with his mark.

Signed, *C.D.*,

Presiding officer for polling station for the county [*or* borough] of .

day of .

NINTH SCHEDULE.

PART I.—PERSONS LEGALLY EMPLOYED FOR PAYMENT.

(1.) One election agent and no more.

(2.) In counties one deputy election agent (in this Act referred to as a sub-agent) for each polling district and no more.

(3.) One polling agent in each polling station and no more.

(4.) In a borough one clerk and one messenger, or if the number of electors in the borough exceeds five hundred, a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five hundred electors in the borough, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred.

(5.) In a county for the central committee room one clerk and one messenger, or if the number of electors in the county exceeds five thousand, then a number of clerks and messengers not exceeding in number one clerk and one messenger for every complete five thousand electors in the county; and if there is a number of electors over and above any complete five thousand or complete five thousands of electors then one clerk and one messenger may be employed for such number, although not amounting to a complete five thousand.

(6.) In a county a number of clerks and messengers not exceeding in number one clerk and one messenger for each polling district in the county, or where the number of electors in a polling district exceeds five hundred one clerk and one messenger for every complete five hundred electors in the polling district, and if there is a number of electors over and above any complete five hundred or complete five hundreds of electors, then one clerk and one messenger may be employed for such number, although not amounting to a complete five hundred: Provided always, that the number of clerks and messengers so allowed in any county may be employed in any polling district where their services may be required.

(7.) Any such paid election agent, sub-agent, polling agent, clerk, and messenger, may or may not be an elector but may not vote.

Part II.—Legal Expenses in Addition to Expenses under Part I.

(1.) The personal expenses of the candidate.

(2.) The expenses of printing, the expenses of advertising, and the expenses of publishing, issuing, and distributing addresses and notices.

(3.) The expenses of stationery, messages, postage, and telegrams.

(4.) The expenses of holding public meetings.

(5.) In a borough the expenses of one committee room, and if the number of electors in the borough exceeds 500, then of a number of committee rooms not exceeding the number of one committee room for every complete 500 electors in the borough, and if there is a number of electors over and above any complete 500 or complete 500 of electors, then of one committee room for such number, although not amounting to a complete 500.

(6.) In a county the expenses of a central committee room, and in addition of a number of committee rooms not exceeding in number one committee room for each polling district in the county, and where the number of electors in a polling district exceeds 500, one additional committee room may be hired for every complete 500 electors in such polling district over and above the first 500.

Part III.—Maximum for Miscellaneous Matters.

Expenses in respect of miscellaneous matters other than those mentioned in Part I. and Part II. of this schedule, not exceeding in the whole the maximum amount of 200*l.*, so nevertheless that such expenses are not incurred in respect of any matter or in any manner constituting an offence under this or any other Act, or in respect of any matter or thing, payment for which is expressly prohibited by this or any other Act.

Part IV.—Maximum Scale.

(1.) In a borough the expenses mentioned above in Parts I., II., and III. of this Schedule, other than personal expenses, shall not exceed in the whole the maximum amount in the scale following:

If the number of electors on the register—	The maximum amount shall be—
Does not exceed 2,000	250*l.*
Exceeds 2,000	280*l.*, and an additional 40*l.* for every complete 1,000 electors above 2,000.

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Provided that in Ireland, if the number of electors on the register—

	The maximum amount shall be—
Does not exceed 500 - -	175*l.*
Exceeds 500, but does not exceed 1,000 - -	220*l.*
Exceeds 1,000, but does not exceed, 1,500 - - -	250*l.*

(2.) In a county the expenses mentioned above in Parts I., II., and III. of this Schedule, other than personal expenses, shall not exceed in the whole the maximum amount in the scale following:

If the number of electors on the register—	The maximum amount shall be—
Does not exceed 2,000 - -	550*l.* in England and Scotland, and 450*l.* in Ireland.
Exceeds 2,000 - -	610*l.* in England and Scotland, and 510*l.* in Ireland; and an additional 40*l.* in England and Scotland, and 25*l.* in Ireland, for every complete 1,000 electors above 2,000.

PART V.— GENERAL.

(1.) For the purposes of this Schedule the number of electors shall be taken according to the enumeration of the electors in the register of electors.

(2.) Where there are two or more joint candidates at an election, the maximum amount of expenses mentioned in Parts III. and IV. of the Schedule shall, for each of such joint candidates, be reduced by one-fourth, or, if there are more than two joint candidates, by one-third.

(3.) Where the same election agent is appointed by or on behalf of two or more candidates at an election, or where two or more candidates, by themselves or any agent or agents, hire or use the same committee rooms for such election or employ or use the services of the same sub-agents, clerks, messengers, or polling agents at such election, or publish a joint address or joint circular or notice at such election, those candidates shall be deemed for the purposes of this enactment to be joint candidates at such election.

Provided that—

(*a.*) The employment and use of the same committee room, sub-agent, clerk, messenger, or polling agent, if accidental or casual, or of a trivial and unimportant character, shall not be deemed of itself to constitute persons joint candidates.

(*b.*) Nothing in this enactment shall prevent candidates from ceasing to be joint candidates.

A.D. 1891.

(c.) Where any excess of expenses above the maximum allowed for one of two or more joint candidates has arisen owing to his having ceased to be a joint candidate, or to his having become a joint candidate after having begun to conduct his election as a separate candidate, and such ceasing or beginning was in good faith, and such excess is not more than under the circumstances is reasonable, and the total expenses of such candidate do not exceed the maximum amount allowed for a separate candidate, such excess shall be deemed to have arisen from a reasonable cause within the meaning of the enactments respecting the allowance by the High Court or election court of an exception from the provisions of this Act which would otherwise make an act an illegal practice, and the candidate and his election agent may be relieved accordingly from the consequences of having incurred such excess of expenses.

TENTH SCHEDULE.

PART I.—FORM OF DECLARATION AS TO EXPENSES.

Form for Candidate.

I , having been a candidate at the election for the county [*or* borough] of on the day of , do hereby solemnly and sincerely declare that I have examined the return of election expenses [about to be] transmitted by my election agent [*or if the candidate is his own election agent,* "by me"] to the returning officer at the said election, a copy of which is now shown to me and marked , and to the best of my knowledge and belief that return is correct;

And I further solemnly and sincerely declare that, except as appears from that return, I have not, and to the best of my knowledge and belief no person, nor any club, society, or association, has, on my behalf, made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election;

And I further solemnly and sincerely declare that I have paid to my election agent [*if the candidate is also his own election agent, leave out* "to my "election agent"] the sum of pounds and no more for the purpose of the said election, and that, except as specified in the said return, no money, security, or equivalent for money has to my knowledge or belief been paid, advanced, given, or deposited by anyone to or in the hands of my election agent [*or if the candidate is his own election agent,* "myself"] or any other person for the purpose of defraying any expenses incurred on my behalf on account of or in respect of the conduct or management of the said election:

And I further solemnly and sincerely declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the

A.D. 1891.

making or giving of, any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent for money for the purpose of defraying any such expenses.

Signature of declarant *C.D*

Signed and declared by the above-named declarant on the day of , before me,

(Signed) *E.F.*
Justice of the Peace for

Form for Election Agent.

I, , being election agent to , candidate at the election for the county [*or* borough] of , on the day of , do hereby solemnly and sincerely declare that I have examined the return of election expenses about to be transmitted by me to the returning officer at the said election, and now shown to me and marked , and to the best of my knowledge and belief that return is correct;

And I hereby further solemnly and sincerely declare that, except as appears from hat return, I have not and to the best of my knowledge and belief no other person, nor any club, society, or association, has, on behalf of the said candidate made any payment, or given, promised, or offered any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election:

And I further solemnly and sincerely declare that I have received from the said candidate pounds and no more [*or* nothing] for the purpose of the said election, and that, except as specified in the said return sent by me, no money, security, or equivalent for money has been paid, advanced, given, or deposited by any one to me or in my hands, or, to the best of my knowledge and belief, to or in the hands of any other person for the purpose of defraying any expenses incurred on behalf of the said candidate on account of, or in respect of the conduct or management of the said election.

Signature of declarant *A.B.*

Signed and declared by the above-named declarant on the day of before me.

(Signed) *E.F.*
Justice of the Peace for

Form of Return of Election Expenses.

I, *A.B.*, being election agent to *C.D.*, candidate at the election for the county [*or* borough] of on the day of , make the following return respecting election expenses of the said candidate at the said election [*or where the candidate has named himself as election agent,* "I, *C.D.*, candidate at the election for the county [*or* borough] of " on the day of , acting as my own " election agent, make the following return respecting my election expenses at " the said election"].

A.D. 1891.

Receipts.

Received of [*the above-named candidate*] [*or where the candidate is his own election agent,* "Paid by *me*"] £

Received of *J.K.* - - - - - - £

[*Here set out the name and description of every person, whether the candidate or not, club, society, or association, from whom any money, securities, or equivalent of money was received in respect of expenses incurred on account of or in connexion with or incidental to the above election, and the amount received from each person, club, society, or association respectively.*]

Expenditure.

By the returning officer for the said county [*or* borough] for his charges at the said election - - - - £

Personal expenses of the said *C.D.*, paid by himself [*or if the candidate is his own election agent,* "Paid by me as "candidate"] - - - - - - £

Do. do. paid by me [*or if the candidate is his own election agent add,* "acting as election agent"] - - - - - - - £

Received by me for my services as election agent at the said election [*or if the candidate is his own election agent, leave out this item*] - - - - - - - £

Paid to *G.H.*, as sub-agent of the polling district of - £

[*The name and description of each sub-agent and the sum paid to him must be set out separately.*]

Paid to as polling agent - - - £

Paid to as clerk for days services - £

Paid to as messenger for days services - £

[*The names and descriptions of every polling agent, clerk, and messenger, and the sum paid to each must be set out separately either in the account or in a separate list annexed to and referred to in the account, thus* "Paid to polling agent (*or as the case may be*) as per annexed list £ ."]

Paid to the following persons in respect of goods supplied or work and labour done:

To *P.Q.* (printing) - - - - - £

To *M.N.* (advertising) - - - - - £

To *R.S.* (stationery) - - - - - £

[*The name and description of each person, and the nature of the goods supplied, or the work and labour done by each, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

Paid for postage, telegrams, parcels, &c. - - - £

A.D. 1891.

Paid for the hire of rooms as follows :—

For holding public meetings - - - - £

For committee room - - - - - £

[*A room hired for a public meeting or for a committee room must be named or described so as to identify it; and the name and description of every person to whom any payment was made for each such room, together with the amount paid, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

Paid for miscellaneous matters, namely— - - - £

[*The name and description of each person to whom any sum is paid, and the reason for which it was paid to him, must be set out separately either in the account or in a separate list annexed to and referred to in the account.*]

In addition to the above, I am aware, as election agent for *C.D.*, [*or if the candidate is his own election agent, leave out* "as "election agent for *C.D.*,"] of the following disputed and unpaid claims; namely,—

Disputed claims.

By *T.U.* for - - - - - - £

[*Here set out the name and description of each person whose claim is disputed, the amount of the claim, and the goods, work, or other matter on the ground of which the claim is based.*]

Unpaid claims allowed by the High Court to be paid after the proper time or in respect of which application has been or is about to be made to the High Court.

By *M.O.* for - - - - - - - £

[*Here state the name and description of each person to whom any such claim is due, and the amount of the claim, and the goods, work, and labour or other matter on account of which the claim is due.*]

(Signed) *A.B.*

PART II.—FORM OF DECLARATION AS TO EXPENSES.

Form for Candidate where declared a Candidate or nominated in his absence and taking no part in the Election.

I, , having been nominated [*or* having been declared by others] in my absence [to be] a candidate at the election for the county or borough of held on the day of , do hereby solemnly and sincerely declare that I have taken no part whatever in the said election.

And I further solemnly and sincerely declare that [*or* with the exception of] I have not, and no person, club, society, or association at my expense has, made any payment, or given, promised, or offered, any reward, office, employment, or valuable consideration, or incurred any liability on account of or in respect of the conduct or management of the said election.

And I further solemnly and sincerely declare that [*or* with the exception of] I have not paid any money or given any security or equivalent for money to the person acting as my election agent at the said election, or to any other person, club, society, or association on account of or in respect of the conduct or management of the said election, and that [or with the exception of] I am entirely ignorant of any money security or equivalent for money having been paid, advanced, given, or deposited by any one for the purpose of defraying any expenses incurred on account of or in respect of the conduct or management of the said election.

And I further solemnly and sincerely declare that I will not, except so far as I may be permitted by law, at any future time make or be party to the making or giving of any payment, reward, office, employment, or valuable consideration for the purpose of defraying any such expenses as last mentioned, or provide or be party to the providing of any money, security, or equivalent of money for the purpose of defraying any such expenses.

Signature of declarant *C.D.*

Signed and declared by the above-named declarant on the day of , before me,

(Signed) *E.F.*
Justice of the Peace for

ELEVENTH SCHEDULE.

REPEAL OF STATUTES.

Session and Chapter.	Enactments repealed or partly repealed. Title, or Short Title.	Extent of Repeal, and how repealed or otherwise affected.

Parliamentary Elections.

A

B I L L

To consolidate, simplify, and amend the Law relating to Parliamentary Elections, and for other purposes relating thereto.

(*Prepared and brought in by Mr. Howell, Mr. Buxton, Mr. Pickersgill, Mr. Stuart, Mr. Fenwick, Mr. Hunter, Mr. Bowen Rowlands, and Mr. Warmington.*)

Ordered, by The House of Commons, *to be Printed*, 26 *November* 1890.

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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1*s.* 1*d.*]

[Bill 92.]

A

B I L L

TO

Enable Master Mariners, Engineers, Seamen, and Fishermen to vote in the Election of Members of Parliament in the same way as Masters of Arts do now in Parliamentary Elections for the Universities. A.D. 1891

WHEREAS it is expedient to amend the law relating to parliamentary elections:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Parliamentary Elections (Seamen's Voting) Act, 1891. Short title.

2. From and after the *passing of this Act* all statutes and parts of statutes relating to the several matters herein set forth, except as provided by this Act, shall be and are hereby repealed. Repeal of Acts.

3. Nothing in this Act shall affect any matters done under existing Acts, or any persons subject to the provisions of existing Acts, at the date of the *passing of this Act*. Saving.

4. It shall be lawful for any master mariner, seamen, or fisherman, or any marine engineer or fireman in service on board a steamship who is duly registered as a voter for the election of a Member to serve in Parliament, but who is prevented from attending to vote in person owing to absence at sea on the day of election, to record his vote at any Parliamentary election subsequent to the *passing of this Act* for the constituency in which he is a duly qualified elector by means of a voting paper in the manner hereinafter provided. Electors may vote by means of voting papers.

5.—(1.) Every voting paper to be used in pursuance of this Act shall contain the following particulars:— Voting paper to contain certain particulars.

(*a.*) The name, residence, occupation, and electoral qualification of the voter:

A.D. 1891.

(*b.*) A declaration that owing to absence at sea on the day of election he will be unable to record his vote in person:

(*c.*) The name of the candidate for whom he desires to vote: and

(*d.*) A declaration that he has not signed any other voting paper for such election.

(2.) The voting paper shall be signed by the voter on a day subsequent to the issue of the writ for the election at which it is proposed to be used in the presence of a person by law authorised to administer oaths, who shall certify and attest the fact of such voting paper having been signed in his presence after the above-mentioned particulars had been duly inserted therein.

(3.) The voting paper may be in the form in the schedule to this Act annexed, or to the like effect.

Voting papers to be delivered to presiding officer at election.

6. The voting paper, signed and certified as aforesaid, may be delivered to the presiding officer at the appointed polling place, during the hours of polling, by the authorised person before whom the declaration was made, and the said presiding officer shall receive the voting paper, and cause the vote thereby given to be recorded in the same manner in all respects as if such vote had been given by the elector attending in person; and all votes so recorded shall have the same validity and effect as if they had been duly given by the voters in person: Provided always, that no voting paper containing the names of more candidates than the voter is entitled to vote for at such election shall be received or recorded.

Declaration on voting paper.

7. No voting paper shall be received or recorded unless the person delivering the same to the presiding officer at the election shall make the following declaration, which he shall sign at the foot or back of the voting paper:—

"I solemnly declare that I verily believe that this is the paper by which *A.B.* intends to vote pursuant to the provisions of the Parliamentary Elections (Seamen's Voting) Act, 1891."

Power for appointment of deputy by person authorised to administer oaths.

8. Any person authorised by law to administer oaths who may have taken declarations by voters under this Act, upon any voting papers, shall have power to appoint a deputy (who shall be a person authorised by law to administer oaths) to attend before the returning officer to tender any such voting papers.

Penalties for false declarations.

9. If any person knowingly makes any declaration required by this Act falsely, or signs more than one voting paper for any Parliamentary election, or having signed a voting paper shall tender his vote in person at such election, he shall be guilty of an offence, and

on conviction thereof on indictment shall be liable to the punishment for wilful and corrupt perjury; such offence shall also be deemed a corrupt practice within the meaning of the Corrupt and Illegal Practices Act, 1883. A.D. 1891.

SCHEDULE.

FORM OF VOTING PAPER.

ELECTION, 18 .

I, *A.B.* [*surname of the elector in full, and Christian name or initials, his residence when ashore, and his occupation, to be here inserted*], do hereby declare that I am duly qualified as a householder [*or* lodger] to vote at a Parliamentary election for [*name of constituency*] but that owing to absence at sea I shall be unable to tender my vote in person at the election to take place on the [*insert date*]. I desire my vote to be recorded in favour of [*insert name of candidate*], and I hereby further declare that I have not signed any other voting paper for this election. I hereby nominate *C.D.* or his deputy to deliver this voting paper at the poll.

Witness my hand this day of 18 .
(Signed) *A.B.*, of [*the elector's place of residence to be here inserted*].

Signed in my presence by the said *A.B.*, on the above-mentioned day of 18 , the name [*or* names] of as the candidate [*or* candidates] voted for having been previously filled in.
(Signed) *C.D.*, of [*the witness's place of residence to be here inserted*], [a person authorised by law to administer oaths]

Parliamentary Elections (Votes of Seamen).

A

B I L L

To enable Master Mariners, Engineers, Seamen, and Fishermen to vote in the Election of Members of Parliament in the same way as Masters of Arts do now in Parliamentary Elections for the Universities.

(*Prepared and brought in by Mr. Atkinson, Mr. Maclure, Mr. Grotrian, Mr. Howard Vincent, and Mr. Ainslie.*)

Ordered, by The House of Commons, *to be Printed*, 2 *December* 1890.

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88 and 90, West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 145.]

A

B I L L

TO

Extend the Parliamentary Franchise to duly qualified Women.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Representation of the People (Extension to Women) Act, 1891.

Women to have same voting rights as men.

2. For all purposes of and incidental to the voting for members to serve in Parliament, women shall have the same rights as men, and all enactments relating to or concerned in such elections shall be construed accordingly.

Parliamentary Franchise (Extension to Women).

A

B I L L

To extend the Parliamentary Franchise to duly qualified Women.

(*Prepared and brought in by Mr. Woodall, Baron Dimsdale, Mr. Illingworth, Mr. M'Laren, Mr. Maclure, Mr. Stansfeld, and Sir Richard Temple.*)

Ordered, by The House of Commons, *to be Printed,* 26 *Novembe* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 21.]

Parliamentary Voters (Qualification) Bill.

MEMORANDUM.

The object of this Bill is to reduce the qualifying period for Parliamentary Voters from twelve to three months, without in any other way altering the existing law; and to repeal the clauses which make it obligatory that the poor rate should be paid on or before the 5th day of January.

The Bill applies to the whole of the United Kingdom.

Parliamentary Voters (Qualification) Bill.

ARRANGEMENT OF CLAUSES.

Clause.
1. Short title.
2. Dwelling-house qualification.
3. Application of Act.
4. Repeal.

SCHEDULE.

A

B I L L

TO

Amend the Law concerning the Qualifying Period for Parliamentary Voters in the United Kingdom; and for other purposes. A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 1. This Act may be cited for all purposes as the Parliamentary Franchise (Qualifying Period) Amendment Act, 1891.

Parliamentary Franchise.

Dwelling-house qualification. 2. Every man who is qualified as follows; that is to say:—

1. Is of full age, and not subject to any legal incapacity; and
2. Is, on the *fifteenth day of July* in any year, and has during the whole of the preceding *three calendar months* been, an inhabitant occupier, as owner or tenant of any dwelling-house, tenement, or building, within the borough or county where such occupation exists,

shall in and after the year *one thousand eight hundred and ninety*, be entitled to be registered as a voter in the list of voters for such borough or county in which he is so qualified as aforesaid, and when registered, to vote for a member or members to serve in Parliament.

Application of Act. 3. This Act shall apply to the United Kingdom, but shall not in any way affect the election of members to serve in Parliament for any of the Universities.

Repeal. 4. The Acts mentioned in the schedule hereto, are hereby repealed to the extent in the third column of the said schedule mentioned.

A.D. 1890.

SCHEDULE.

Session and Chapter.	Title or Short Title.	Extent of Repeal.
13 & 14 Vict. c. 69. -	An Act to amend the laws which regulate the Qualification and Registration of Parliamentary Voters in Ireland, and to alter the Law for Rating immediate Lessors of Premises to the Poor Rate in certain Boroughs.	Section 5.
30 & 31 Vict. c. 102. -	Representation of the People Act, 1867.	Sub-sections 1, 2, 3, 4 of section 3.
31 & 32 Vict. c. 48. -	Representation of the People (Scotland) Act, 1868.	Sub-sections 1 and 2 of section 3, and the proviso to sub-section 2.
31 & 32 Vict. c. 49. -	Representation of the People (Ireland) Act, 1868.	Section 3.

Parliamentary Voters (Qualification).

A

B I L L

To amend the Law concerning the Qualifying Period for Parliamentary Voters in the United Kingdom; and for other purposes.

(*Prepared and brought in by*
Mr. A. C. Morton, Mr. John Leng, Mr. Priestley, Mr. Pinkerton, Mr. Halley Stewart, and Captain Verney.)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1*d.*]

[Bill 97.]

Parliamentary Voters Registration Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Short title.

Parliamentary Franchise.

2. Dwelling-house qualification.
3. Lodger qualification.
4. Short interruptions of occupancy not to invalidate qualification.
5. Change of qualification.
6. Register to be conclusive as to right to vote, but voter limited to one constituency.

Registration of Voters.

7. Registration officer to be appointed.
8. Duty of registration officer to ascertain names of persons entitled to be registered.
9. Registration officer to serve requisition on occupiers and others.
10. Service of notice.
11. Registration officer to perform duties previously vested in returning officers, overseers, and other officers.
12. Registration officer disqualified from voting at elections.
13. Registrar of deaths to send returns to registration officer.
14. Preparation and amendment of register of voters.
15. Register of voters to come into operation on the first of January and the first of July respectively.

Conduct of Elections.

16. Issue of writs, nomination and polling days.
17. Notice of polling day to be sent by returning officer.
18. Saving as to the Universities.
19. Repeal.

SCHEDULES.

A

B I L L

FOR

The better Registration of Parliamentary Voters; and for other purposes. A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. 1. This Act may be cited for all purposes as the Parliamentary Franchise Amendment Act, 1891.

Parliamentary Franchise.

Dwelling-house qualification. 2. Every man shall, in and after the year *one thousand eight hundred and ninety-one*, be entitled to be registered as a voter, and when registered to vote for a member or members to serve in Parliament who is qualified as follows, that is to say:—

1. Is of full age and not subject to any legal incapacity; and
2. Is on the *thirty-first day of March* or the *thirtieth day of September* in any year, and has during the whole of the preceding three calendar months been an inhabitant occupier as owner or tenant of any dwelling-house, tenement, or building within such constituency or the electoral division of which such constituency formed part prior to the passing of the Redistribution of Seats Act, 1885.

Lodger qualification. 3. Every man shall, in and after the year *one thousand eight hundred and ninety-one*, be entitled to be registered as a voter, and when registered to vote for a member or members to serve in Parliament who is qualified as follows, that is say:—

1. Is of full age and not subject to any legal incapacity; and
2. As a lodger has occupied in the same constituency for three calendar months preceding the *thirty-first day of March* or the *thirtieth day of September* in any year any lodgings in

A.D. 1890.

any dwelling-house or building within such constituency. The occupation in immediate succession of different lodgings in the same constituency, or the electoral division of which such constituency formed part prior to the passing of the Redistribution of Seats Act, 1885, shall for the purpose of qualifying a lodger to be registered as a voter and to vote, have the same effect as the continued occupation of the same lodgings.

Short interruptions of occupancy not to invalidate qualification.

4. Short interruptions of occupancy of a dwelling-house or lodgings, amounting in all to not more than four weeks, shall not be deemed sufficient to invalidate the qualification of any man to be registered as a voter.

Change of qualification.

5. The qualification of any man to be registered as a voter shall not be invalidated by reason of the fact that the voter has occupied lodgings for a portion of the qualifying period and a dwelling-house for the remainder, or vice versâ, so long as the dwelling-house or lodgings are within the constituency or electoral division as aforesaid.

Register to be conclusive as to right to vote, but voter limited to one constituency.

6. The register of voters for any electoral constituency, as finally settled by the registration officer, shall be conclusive as to the right of every male person whose name appears therein to vote at any election for a member or members to serve in Parliament for such constituency during the period in which such register is in force.

Provided that no person shall be entitled to vote in more than one constituency at any general election which may take place subsequent to the *passing of this Act*. Any person voting in contravention of this provision shall be deemed guilty of an illegal practice, and be subject to the penalties imposed by the Corrupt Practices Act, 1883, for such an offence.

Registration of Voters.

Registration officer to be appointed.

7. As soon as may be after the *passing of this Act*, and from time to time as vacancies may arise, the town councils in cities and boroughs and the county councils and district councils in counties shall, within the respective constituencies over which they have jurisdiction, nominate and appoint for each constituency an officer, to be called the registration officer, to perform the duties herein-after provided; and the appointment of such officer shall be publicly notified in one or more newspapers circulating in the district, and shall remain in force for a period of *three years* from the date of such appointment.

A.D. 1890.

Duty of registration officer to ascertain names of persons entitled to be registered.

8. It shall be the duty of the registration officer in the months of *April* and *October* to inquire or ascertain with respect to every hereditament which comprises any dwelling-house or dwelling-houses within the meaning of the Representation of the People Acts, whether any man other than the owner or other person rated or liable to be rated in respect thereof, is entitled to be registered as a voter in respect of his being an inhabitant occupier or lodger in any such dwelling-house, tenement, or building.

Registration officer to serve requisition on occupiers and others.

9. For the purpose of the execution of such duty the registration officer shall serve on the person who is the occupier, or rated, or liable to be rated in respect of such dwelling-house, or on some agent of such person concerned in the management thereof, the requisition specified in the First Schedule to this Act, requiring that the form in that notice be accurately filled up and returned to the registration officer within *fourteen days* after the date of such notice; and if any such person or agent on whom such requisition is served fail to comply therewith, or to satisfy the registration officer that the omission to do so was unavoidable, he shall be proceeded against by the registration officer, and on summary conviction shall be liable to a fine not exceeding *forty shillings* for each default, mis-statement, or omission, and the registration officer who fails to perform his duty under this section shall be liable to be proceeded against by any elector and deemed guilty of a breach of duty in the execution of the Registration Acts, and shall be liable to be fined accordingly a sum not exceeding *forty shillings* for each default.

Service of notice.

10. The notice under the preceding section may be served in manner provided by the Representation of the People Acts with respect to the service on occupiers of notice of nonpayment of rates, and where a body of persons corporate or incorporate is rated, shall be served on the secretary or agent of such body of persons, and where the dwelling-house by reason of belonging to the Crown or otherwise is not rated, shall be served on the chief local officer having the superintendence or control of such dwelling-house.

Registration officer to perform duties previously vested in returning officers, overseers, and other officers.

11. Subject to the provisions of this Act the registration officer shall have, possess, and exercise all the powers and duties which have been hitherto vested in and performed by returning officers, revising barristers, overseers, assessors, guardians, clerks of the unions, or other persons by whatever name known in respect to—

(*a.*) the making, publication, and completion of street lists of persons entitled or claiming to vote at the election of members to serve in Parliament;

A.D. 1890.

(*b.*) the printing, publication, and sale of copies of the register of voters after the same has been completed;

(*c.*) the registration of voters generally; and

(*d.*) the conduct of elections.

Registration officer disqualified from voting at elections.

12. The registration officer for any electoral constituency shall, while he continues to hold such office, be disqualified from being registered as a voter and from voting or taking part in any election for a member to serve in Parliament for the said constituency.

Registrar of deaths to send returns to registration officer.

13. The registrar of deaths of any district within an electoral constituency shall, during the months of *April* and *October*, send to the registration officer for such constituency a return showing the names and addresses of the adult male persons who have died during the preceding three months ending on the *thirty-first day of March* or *the thirtieth day of September* respectively; and upon any default or omission to send such list, he shall be proceeded against by the registration officer, and shall be liable to a fine not exceeding *forty shillings* for each default, mis-statement, or omission.

Preparation and amendment of register of voters.

14. In the months of *May* and *November* respectively the registration officer shall prepare a list of the persons qualified to vote, and shall forthwith deposit copies of the same at the principal post offices and with the secretary or other officer of each of the political associations or clubs in such constituency for public inspection and reference.

Within fourteen days from the date of depositing such copies as aforesaid, it shall be competent for any person whose name is omitted therefrom, and who claims a right to vote, to send to the registration officer a claim in the prescribed form contained in the First Schedule annexed hereto, stating the grounds of his alleged qualification, and the registration officer shall thereupon investigate such claim and determine whether the claimant is entitled to be placed upon the register of voters, and he shall amend the register accordingly.

Register of voters to come into operation.

15. The register of voters for any constituency within the United Kingdom shall come into operation on the *first day of January* or the *first day of July* next following the completion of such register, and shall continue in operation for a period of six months from such date.

Conduct of Elections.

Issue of writs, nomination and polling days.

16. At any general election held subsequent to the *passing of this Act* the writs shall be issued on one and the same day, and

public notice of such election shall be given by the returning officer on the first Thursday after the issue of such writ, and such notice shall state that the nomination will take place on the following Tuesday, and that in the event of a poll being necessary the same will take place on the Monday next following such nomination as aforesaid.

Notice of polling day to be sent by returning officer.

17. It shall be the duty of the returning officer to send by book post, to each person whose name appears upon the register of voters, a notice stating the registered number of such elector as contained in the register of voters, and naming the day, hours, and place at which the poll will be taken at any election. Any person other than a returning officer who shall issue any such notice shall be liable on summary conviction to a fine not exceeding *forty shillings* for each such notice sent or given to an elector.

Saving as to the Universities.

18. Nothing in this Act contained shall in any way affect the qualification of voters or the mode of conducting elections at any of the Universities.

Repeal.

19. The Acts mentioned in the Second Schedule hereto are hereby repealed to the extent in the third column of the said schedule mentioned except in so far as the enactments so repealed contain conditions made applicable to this Act by any provision enacted herein.

A.D. 1890.

FIRST SCHEDULE.

1.

FORM OF REQUISITION BY THE REGISTRATION OFFICER REQUIRING NAMES OF RESIDENTS.

To *E.F.*,

You are hereby required to fill up accurately the form appended below.

This form will be called for on the day of , and unless it is accurately filled up and ready for delivery by the above-mentioned date, you will be liable under the Parliamentary Franchise Amendment Act, 1891, to a penalty not exceeding *forty shillings*.

Dated this day of 18 .

A.B.,
Registration Officer for the Electoral Constituency of .

FORM OF RETURN.

1.	2.	3.
Description of House or Premises.	Surname and other Name of every Man who on the 31st March or the 30th September last occupied Lodgings in the Dwelling-house or Premises specified in the First Column, or in any part thereof.	Period during which such Lodger has been in Occupation.

I declare that the above is a true and complete return.

(Signed) *E.F.*

Dated this day of 18 .

This form is to be substituted for Form "A" in the Second and Third Schedules to the Registration Act, 1885.

2. A.D. 1890.

FORM OF CLAIM TO BE PLACED UPON THE ELECTORAL REGISTER.

To the Registration Officer of the .

My name having been omitted from the list of persons qualified to vote for the [borough *or* county division] of , I claim to have my name inserted in the said list made by you of parliamentary voters for the said [borough *or* county division] in respect of the qualification named below.

Dated the day of 18 .

Name of Claimant in full, Surname being first.	Place of Abode.	Nature of Qualification, whether as Householder or Lodger, and Period of Occupation.	Description of Qualifying Property.

(Signed) *A.B.*

SECOND SCHEDULE

Session and Chapter.	Title or Short Title.	Extent of Repeal.
30 & 31 Vict. c. 102. -	Representation of the People Act, 1867.	Sections 3 and 4.
31 & 32 Vict. c. 48. -	Representation of the People (Scotland) Act, 1868.	Sections 3 and 4.
31 & 32 Vict. c. 49. -	Representation of the People (Ireland) Act, 1868.	Section 4.
41 Vict. c. 3. - -	House Occupiers Disqualification Removal Act, 1878.	The whole Act.
41 Vict. c. 5. - -	House Occupiers Disqualification (Scotland) Act, 1878.	The whole Act.
41 & 42 Vict. c. 26. -	Parliamentary and Municipal Registration Act, 1878.	Sections 6 and 22.
48 Vict. c. 3. - -	Representation of the People Act, 1884.	Sub-sections 2, 3, 4, 5, 7, 8, and 9 of section 9.
48 Vict. c. 16. -	Registration Amendment (Scotland) Act, 1885.	Section 13.

Parliamentary Voters Registration.

A

B I L L

For the better Registration of Parliamentary Voters; and for other purposes.

(*Prepared and brought in by Mr. Cremer, Mr. William Abraham (Rhondda), Mr. Burt, Mr. Fenwick, Mr. Pickard, Mr. James Rowlands, and Mr. John Wilson (Durham).*)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1½*d.*]

[Bill 24.]

A

B I L L

TO

Alter and amend the Law relating to the Registration of Parliamentary Voters in Ireland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title. **1.** This Act may for all purposes be cited as the Parliamentary Registration (Ireland) Act, 1891.

Extent. **2.** This Act shall extend to Ireland only.

Preparation of lists. **3.**—(1.) All lists of rated occupiers, inhabitant occupiers, voters, and persons claiming to vote in a polling district of a county or division of a county shall be arranged by townlands, arranged, so far as may be possible, in the order in which they appear in the books in which the rates for the relief of the poor are entered pursuant to section forty-five of an Act of the first and second years of Her present Majesty, for the more effectual relief of the destitute poor in Ireland.

Postponement of operation. (2.) The Lord Lieutenant may by an Order in Council postpone the operation of this section in any county or division of a county to a day not later than the *first day of January one thousand eight hundred and ninety-two.*

Amendment of 48 Vict. c. 17. s. 26. **4.**—(1.) The costs of a party to an appeal against a decision of a revising barrister may be ordered by the Court of Appeal to be paid by the clerk of the peace or town clerk of the county or parliamentary borough, as the case may be, to which the appeal relates.

(2.) A clerk of the peace or town clerk shall not be named as respondent in any appeal unless it relates to his right to be registered as a voter.

(3.) Any costs which a clerk of the peace or town clerk may be ordered to pay to a party to an appeal shall be allowed to him as part of the expenses incurred by him in respect of the revision of the list to which the appeal relates.

Parliamentary Voters Registration (Ireland).

A

B I L L

To alter and amend the Law relating to the Registration of Parliamentary Voters in Ireland.

(*Prepared and brought in by Mr. Pinkerton, Mr. Sexton, Mr. T. M. Healy, Mr. Clancy, Mr. Kenny, Mr. Maurice Healy, and Mr. M'Cartan.*)

Ordered, by The House of Commons, *to be Printed*, 26 *November* 1890.

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88 and 90 West Nile Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 32.]

A

B I L L

TO

Reform the Constitution of Parochial Boards in Scotland, and the mode of Electing the Members of such Boards. A.D. 1890.

WHEREAS it is expedient to amend the law relating to the constitution and mode of election of parochial boards in Scotland:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited for all purposes as the Parochial Boards (Scotland) Act, 1891.

Commencement of Act.

2. This Act shall come into operation on the *first day of January one thousand eight hundred and ninety-two*, which date is herein-after referred to as the commencement of this Act.

Interpretation clause.

3. In this Act the following expressions shall bear the interpretations respectively assigned to them:

Poor Law (Scotland) Act shall mean the Act eighth and ninth Victoria, chapter eighty-three, entitled, "An Act for the "amendment and better administration of the Laws relating "to the relief of the Poor in Scotland," and any Act amending the same:

Burgh shall mean a royal or parliamentary burgh:

Member shall mean a member of a parochial board:

Non-elected members of parochial boards shall include heritors, representatives of kirk sessions, magistrates, and commissioners of supply, and all members who are not elected by ratepayers:

Election shall mean an election under this Act:

Board shall mean parochial board:

A.D. 1890.

Elector shall mean a person entitled under this Act to vote at the election of members of the parochial board of any parish:

The board of supervision shall mean the board of supervision for the relief of the poor in Scotland.

Electors under this Act.

4. The electors in the parish of a parochial board shall consist of the following persons; (that is to say,)

(*a.*) In so far as the parish is within a burgh, the persons who are registered in the municipal register last made up and completed as municipal electors within the burgh; and

(*b.*) In so far as the parish is not within a burgh or part of a burgh, the persons within such parish who are registered in the county council register last made up and completed as county electors under the Local Government (Scotland) Act, 1889.

Provided that at any election it shall not be lawful for any voter to record more than one vote in any one parish.

Electoral roll to be kept in each parish.

5. The inspector of the poor in each parish shall, from the rolls of municipal electors and the county council registers last made up, prepare a roll of electors within such parish under this Act, but no person in such parish shall be registered more than once in such roll, and such roll shall be subject to the same provisions as are enacted in the case of the roll of municipal voters in burghs, and the cost of preparing the roll shall be a lawful charge upon the poor rate of each parish.

Election of parochial boards and conduct of business.

6. Elections of members of parochial boards shall be held on the *second Tuesday* of November of each year after the commencement of this Act, and such elections shall be conducted in every respect as if they were elections of town councillors in burghs, and all enactments as to nomination of candidates, qualifications of candidates, mode of voting, corrupt and illegal practices, tenure of office, disqualification, and incapacity to hold office which apply to the election and tenure of office of town councillors in burghs shall apply to the election and tenure of office of members of parochial boards; and all expenses connected with such elections, which in the case of burghs would fall to be defrayed out of the burghal rates, shall in the case of parochial boards be defrayed out of the parochial rates:

Provided that no person qualified under the provisions of the Poor Law (Scotland) Acts to act as a manager of the poor or an elected member of a parochial board in Scotland shall under the provisions of this section be disqualified by reason of being a female from election under this Act as a member of a parochial board.

A.D. 1890.

Numbers of members of boards.

7. The respective number of members of parochial boards shall be as follows:

In parishes in which at the date of the taking of the last census the population was one hundred thousand or upwards, the number of members of the board shall be *twenty-four;* in parishes in which at the date of the taking of the last census the population was fifty thousand and less than one hundred thousand, the number of members of the board shall be *twenty-one;* in parishes in which at the date of the taking of the last census the population was twenty-five thousand and less than fifty thousand, the number of members shall be *eighteen;* in parishes in which at the date of the taking of the last census the number of the population was ten thousand and less than twenty-five thousand, the number of members of the board shall be *twelve;* in parishes in which at the date of the taking of the last census the population was five thousand and less than ten thousand, the number of members of the parochial board shall be *nine;* and in parishes in which at the date of the taking of the last census the number of the population was five thousand or less, the number of the members of the board shall be *six:*

Provided always, that in burghal and combination parishes in which at the date of the passing of this Act the number of elected members is greater than the number awarded under the foregoing scale, the parochial board shall, if the board of supervision so order, continue to consist of a number of members equal to the present number of its elected members.

Provisions as to burghal and combination parishes.

8.—(1.) On the commencement of this Act, whenever the number of members of burghal or combination parochial boards is greater than that prescribed in this Act, as many of the non-elected members as are in excess of the number so prescribed shall cease to be members thereof; but if the number of non-elected members of any board shall be so great that the retirement of all of them would reduce the number of members of the said board below the number prescribed in this Act, then all shall continue members of such board until a meeting of the board, to be convened not more than *four weeks* after the commencement of this Act, and at that meeting a vote of the whole board shall be taken to decide which of the non-elected members shall continue to be members of the board, and such of the non-elected members as obtain the highest number of votes shall continue to be members of the said board until the first election after the commencement of this Act.

A.D. 1890.

(2.) At the first election after the commencement of this Act one third of the members, or the integral number next above one third of the members, of each burghal or combination parish shall retire, and the remainder shall continue to be members of the respective boards; and those who are to continue to be members shall be chosen from among the managers of the poor on each board by vote of the board at a meeting to be held not less than *one month nor more than two months* prior to the first election after the commencement of this Act, and those elected members who obtain the highest number of votes shall continue to be members of the board until the second election after the commencement of this Act.

9.—(1.) At the second election after the commencement of this Act one half of the remaining managers of the poor so elected to continue to be members of their boards, or the integral number next above one half, shall retire, and those of such members who are to continue to be members of their respective boards shall be chosen by vote of each board at a meeting to be held *not less than one month nor more than two months* prior to the second election after the commencement of this Act, and those of the said members who obtain the largest number of votes shall continue to be members of their board until the third election after the commencement of this Act, when they shall retire.

(2.) At the first and every subsequent election after the commencement of this Act as many members shall be elected in each parish as are required to bring up the number of members on the board of the parish to that prescribed in this Act.

Provisions as to rural parishes.

10.—(1.) The parochial boards of rural parishes shall continue as at present constituted until the first election after the commencement of this Act.

(2.) At the first election after the commencement of this Act the constituencies in each parish shall elect as many members as are prescribed by this Act for the board of such parish, and the third of the members then elected who shall poll the lowest number of votes shall continue to be members of the board for one year only, and the third of the members then elected who shall poll the next lowest number of votes shall continue to be members of the board for two years only.

Duration of office.

11. Except as herein-before provided, every person elected as a member of a parochial board shall continue to be a member of such board for three years, and in case of his death, or incapacity, or

resignation of office the vacancy in the board so caused shall be filled up in the same manner and subject to the same conditions as it would have been filled up had the vacancy occurred in a town council.

Board of supervision to frame rules.

12. The board of supervision shall frame rules for the conduct of elections under this Act, setting forth the places in each parish where the nomination of candidates and the polling of electors shall take place, and, when the board of supervision thinks fit, a parish may be divided into wards or districts for the purposes of elections, and the board of supervision shall declare the boundaries of such wards or districts, and the number of members of the parochial board to be elected by each ward or district, and the board of supervision shall have power to cancel or amend its rules, and to issue new rules from time to time as occasion may require.

The use of mandates abolished.

13. After the commencement of this Act the use of mandates at parochial boards shall cease to be legal.

Construction of Act.

14. This Act shall be read and construed along with the Poor Law (Scotland) Acts.

Limitation of Act.

15. This Act shall apply to Scotland only.

Parochial Board (Scotland).

A

B I L L

To reform the Constitution of Parochial Boards in Scotland, and the mode of Electing the Members of such Boards.

(*Prepared and brought in by Dr. Cameron, Mr. Barclay, Mr. Shiress Will, Dr. Farquharson, Mr. Esslemont, and Mr. Mackintosh.*)

Ordered, by The House of Commons, *to be Printed*, 26 *November* 1890.

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[*Price* 1*d.*]

[Bill 3.]

Penal Servitude Bill.

MEMORANDUM.

The object of this Bill is to reduce the minimum term of penal servitude to three years, and to make certain minor amendments in the Penal Servitude Acts and in the Prevention of Crimes Act, 1871.

Clause 1.

Under the existing law the least term of penal servitude which can be awarded is a term of five years or some longer period. It is proposed by this clause to reduce the minimum term of penal servitude to three years, and also to empower the court to substitute a sentence of imprisonment for a sentence of penal servitude.

By the Penal Servitude Act, 1853 (16 & 17 Vict. c. 99.), which first introduced sentences of penal servitude, partly in substitution for transportation and partly as an alternative mode of punishment, a scale of terms of penal servitude was provided in place of certain terms of transportation, a maximum and a minimum term being stated in each case. The minimum of all was a term of four years penal servitude (section 4).

By the Penal Servitude Act, 1857 (20 & 21 Vict. c. 3.), which abolished sentences of transportation, the above scale was also abolished, and for every statutory term of transportation the like term of penal servitude was substituted, but the minimum term was reduced to three years (section 2).

By the Penal Servitude Act, 1864 (27 & 28 Vict. c. 47.), the minimum was raised to five years, and where the statutory term was less, it was extended to five years (section 2). The same section fixed the minimum term, after a previous conviction of felony, at seven years; this enactment, however, has been repealed by the Prevention of Crimes Act, 1879 (42 & 43 Vict. c. 55. s. 1).

The effect of the above enactments on subsequent legislation has been that no statute has assigned a less term than five years.

In cases where an Act passed before 1864 assigned a minimum term of more than five years, the Act of 1864 did not reduce that period or give any discretion, and thus in one notable instance, that of unnatural offences under 24 & 25 Vict. c. 100. s. 61, a term of ten years penal servitude is still the fixed minimum. In many cases

under this enactment the judges have expressed regret that the law precluded them from passing a less sentence, and modifications of the sentence have been made by the Secretary of State.

It is proposed to make the 1st of October the date for the commencement of this clause. If it were brought into operation immediately on its passing, there would be an awkward interval between the passing and the promulgation, during which judges would not know whether the new law was in force or not.

Clause 2.

Under section 6 of the Penal Servitude Act, 1864, a constable may arrest the "holder" of a licence whom he reasonably suspects of having committed an offence or broken the conditions of his licence. Thus the power of arrest expires with the term of licence, even with respect to an offence committed during that term. There is no similar provision with respect to persons under police supervision. It is proposed by sub-section (1) of this clause to put the two classes in the same position, and to enable arrests to be made after, in respect of offences committed before, the expiration of the sentence in the one case and the period of police supervision in the other. It is also proposed to restrict their power of arrest, as in the case of powers under section 3 of the Prevention of Crimes Act, 1871, to constables authorised in writing to exercise the powers.

Sub-section (2) is intended to obviate a difficulty which has recently arisen. A magistrate has held that he cannot deal with a convict under section 3 of the Act of 1871 who may be before him, unless the convict has been in fact taken into custody by a constable who has acted under this section and exercised his discretion in so doing.

Clause 3.

By section 9 of the Act of 1864, if a convict is sentenced to a term of penal servitude in respect of an offence committed while on licence, his licence is at the same time forfeited by virtue of his conviction, and he has to serve the remainder of his original sentence after serving the term to which he was last sentenced. In such cases, under the existing law, there is, in the first place, no power to grant a fresh licence in respect of the remainder, and, in the next place, for the purposes of licences the two periods cannot be treated as one. The object of sub-sections (1) and (2) is to remedy these defects.

Sub-section (3) rectifies verbal errors in the same section and in the form of licence.

Clause 4.

It is proposed by this clause (*a*) to require notice to be given by a licensee or person subject to police supervision, when he intends to leave his place of residence, whether he is going to another police district or abroad; (*b*) to require such persons forthwith to give notice when they go to another police district, and in lieu of the provision in the Act of 1871 as to forty-eight hours, to make the saving clause applicable only in cases of *bonâ fide* travelling; and (*c*) to enable the court in its discretion to sentence a licensee guilty of a contravention of these regulations to a term of imprisonment not exceeding one year. Section five of the Act of 1871 at present requires the court to forfeit the licence (unless the term of penal servitude has expired) without any option of passing a less sentence, though, where the remainder unexpired is less than one year, the term of imprisonment may be increased up to one year.

This clause further enables Her Majesty to remit the requirements of the sections of the Act of 1871 as to notices.

Clause 5.

The object of this clause is to cure a defect in the provisions of the Penal Servitude Act, 1864, which is not cured by section 4 of the Prevention of Crime Act, 1871.

Clause 6.

The object of this clause is to provide for an accidental omission in section 7 of the Prevention of Crimes Act, 1871. That section at present applies to a twice-convicted man for seven years *after* the expiration of his second sentence, but it ought to apply also before the expiration of the second sentence, *i.e.*, whilst he is out on licence under the second sentence.

Clause 7.

Some doubt at present exists whether a reputed thief can be apprehended under section 4 of the Vagrant Act unless he is found more than once under suspicious circumstances in the same street or other place mentioned in the Act.

Clause 8.

By this clause it is proposed to extend the power of photographing prisoners, so as to enable photographs to be taken of prisoners before conviction, and also to provide for similar regulations to be made as to the measuring of prisoners.

Penal Servitude Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Amendment of law as to term of penal servitude and as to sentences of imprisonment.
2. Amendment of 27 & 28 Vict. c. 47. s. 6, and 34 & 35 Vict. c. 112. s. 3, as to apprehension of licensees and supervisees.
3. Power to grant licences in cases of unexpired terms.
4. Amendment of 34 & 35 Vict. c. 112. ss. 5, 8, as to notices of residence to be given by licensees and supervisees.
5. Amendment of 27 & 28 Vict. c. 47. ss. 4, 8, as to forfeiture of licence.
6. Extension of 34 & 35 Vict. c. 112. s. 7, to licensees.
7. Amendment of 5 Geo. 4. c. 83. as to rogues and vagabonds.
8. Regulations as to measuring and photographing of prisoners.
9. Short title.

[Bill 192.] A

A

B I L L

TO

Amend the Law relating to Penal Servitude and the Prevention of Crime. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law as to term of penal servitude and as to sentences of imprisonment. [See 9 & 10 Vict. c. 24. s. 1.]

1.—(1.) Where under any enactment in force when this section comes into operation a court has power to award a sentence of penal servitude, the sentence may, at the discretion of the court, be for any period not less than *three years*, and not exceeding either *five years*, or any greater period authorised by the enactment.

(2.) Where under any Act now in force or hereafter to be passed a court is empowered or required to award a sentence of penal servitude, the court may in its discretion, unless any future Act otherwise expressly provides, award imprisonment for any term not exceeding *two years*, with or without hard labour.

27 & 28 Vict. c. 47.

(3.) Section two of the Penal Servitude Act, 1864, is hereby repealed with respect to any sentence awarded after the date at which this section comes into operation.

(4.) This section shall come into operation on the *first day of October one thousand eight hundred and ninety-one.*

Amendment of 27 & 28 Vict. c. 47. s. 6., and 34 & 35 Vict. c. 112. s. 3., as to apprehension of licensees and supervisees.

2.—(1.) Any constable for the time being specially or generally authorised in writing by the chief officer of police of his district, may take into custody without warrant any person whom he reasonably suspects of having, while at large under a licence granted in pursuance of the Penal Servitude Acts, or while under the supervision of the police in pursuance of the Prevention of Crimes Act, 1871, committed any offence, and may take him before a court of summary jurisdiction to be dealt with according to law.

A.D. 1891.

(2.) Any convict may be convicted before a court of summary jurisdiction of an offence against section three of the Prevention of Crimes Act, 1871, although he was brought before the court on some other charge or not in manner provided by that section.

(3.) Section six of the Penal Servitude Act, 1864, is hereby repealed.

Power to grant licences in cases of unexpired terms.

3.—(1.) Where an offender is, under section nine of the Penal Servitude Act, 1864, undergoing, or liable to undergo, a term of penal servitude in consequence of the forfeiture or revocation of a licence granted in pursuance of the Penal Servitude Acts, Her Majesty may grant a licence to the offender in like manner as if the forfeiture or revocation of the former licence were a sentence of penal servitude.

(2.) Where a person is sentenced on any conviction to a term of penal servitude, and by virtue of the same conviction his licence is forfeited, the term for which he is sentenced, together with the term which he is required further to undergo under the said section, shall, for all purposes of the Penal Servitude Acts relating to licences, be deemed to be one term of penal servitude, and those Acts shall apply as if, on conviction of the offence, the offender had been sentenced to the combined term.

27 & 28 Vict. c. 47.

(3.) In section nine of the Penal Servitude Act, 1864, the words "on indictment of any offence" shall be substituted for the words "of any indictable offence," and in Schedule A. to the said Act the words "on indictment of some offence" shall be substituted for the words "of some indictable offence."

Amendment of 34 & 35 Vict. c. 112. ss. 5, 8 as to notices of residence to be given by licensees and supervisees. 42 & 43 Vict. c. 55.

4.—(1.) Sections five and eight of the Prevention of Crimes Act, 1871, and section two of the Prevention of Crimes Act, 1879 (which recites and refers to those sections), shall have effect as if the following substitutions had been made in the said sections five and eight; that is to say,

(*a.*) As if for the words "and whenever he changes his residence "from one police district to another shall notify such change "of residence to the chief officer of police of the police district "which he is leaving, and to the chief officer of police of the "police district into which he goes to reside" occurring in each section there had been substituted in each section the following words:

"and whenever he is about to leave a police district he shall "notify such his intention to the chief officer of police of that "district, stating the place to which he is going, and also, if

A.D. 1891.

" required, and, so far as is practicable, his address at that " place, and whenever he arrives in any police district he shall " forthwith notify his place of residence to the chief officer of " police of such last-mentioned district;" and

(*b.*) As if for the words in section five, from "If any holder" to the end of the section, and for the words in section eight, from "If any person" to the end of the section, there had been substituted in each section the following words:—

"If any person to whom this section applies fails to comply with any of the requisitions of this section, he shall, in any such case, be guilty of an offence against this Act, unless he proves to the satisfaction of the court before whom he is tried, either that being on a journey he tarried no longer in the place, in respect of which he is charged with failing to notify his place of residence, than was reasonably necessary, or that otherwise he did his best to act in conformity with the law; and on conviction of such offence it shall be lawful for the court in its discretion either to forfeit his licence, or to sentence him to imprisonment with or without hard labour for a term not exceeding *one year*.

(2.) Her Majesty may, by order under the hand of a Secretary of State, remit any of the requirements of sections five and eight of the Prevention of Crimes Act, 1871, either generally or in the case of any holder of a licence or person subject to the supervision of the police.

Amendment of 27 & 28 Vict. c. 47. ss. 4, 8 as to forfeiture of licence.

5. The provisions of the Penal Servitude Act, 1864, applying to a licence in the form set forth in Schedule A. to that Act, shall apply also to a licence in any other form for the time being authorised by section ten of that Act.

Extension of 34 & 35 Vict. c. 112. s. 7 to licensees.

6. A person who has been twice convicted on indictment of crime shall,

(*a.*) if the second sentence is to a term of imprisonment, then at any time within *seven years* after the expiration of the sentence; and

(*b.*) if the second sentence is to a term of penal servitude, then whilst at large under that licence, and also at any time within *seven years* after the expiration of the sentence,

be guilty of an offence against the Prevention of Crimes Act, 1871, under the circumstances stated in section seven of that Act or any of them, and may be taken into custody in manner provided by that section.

A.D. 1891.

Amendment of 5 Geo. 4. c. 83. as to rogues and vagabonds.

7. Section four of the Act passed in the fifth year of the reign of King George the Fourth, chapter eighty-three, intituled "An "Act for the punishment of idle and disorderly persons and rogues "and vagabonds in that part of Great Britain called England," as amended by section fifteen of the Prevention of Crimes Act, 1871, shall be read and construed as if the provisions applying to suspected persons and reputed thieves frequenting the places and with the intent therein described, applied also to every suspected person or reputed thief loitering about or in any of the said places and with the said intent.

Regulations as to measuring and photographing of prisoners.

8. In England the Secretary of State, in Scotland the Secretary for Scotland, and in Ireland the Lord Lieutenant, may make regulations as to the measuring and photographing of all prisoners who may for the time being be confined in any prison in England, Scotland, and Ireland respectively; and all the provisions of section six of the Prevention of Crimes Act, 1871, with respect to the photographing of prisoners shall apply to any regulations as to measuring made in pursuance of this section.

Short title. 16 & 17 Vict. c. 99. 20 & 21 Vict c. 3. 27 & 28 Vict. c. 47.

9. This Act may be cited as the Penal Servitude Act, 1891, and this Act and the Penal Servitude Acts, 1853, 1857, and 1864, may be cited collectively as the Penal Servitude Acts, 1853 to 1891, and are in this Act referred to as the "Penal Servitude Acts."

Penal Servitude.

A

B I L L

To amend the Law relating to Penal Servitude and the Prevention of Crime.

(Prepared and brought in by Mr. Secretary Matthews and Mr. Stuart-Wortley.)

Ordered, by The House of Commons, *to be Printed,* 9 *February* 1891.

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[Bill 192.]

Penal Servitude Bill.

[AS AMENDED BY THE STANDING COMMITTEE ON LAW.]

MEMORANDUM.

The object of this Bill is to reduce the minimum term of penal servitude to three years, and to make certain minor amendments in the Penal Servitude Acts and in the Prevention of Crimes Act, 1871.

Clause 1.

Under the existing law the least term of penal servitude which can be awarded is a term of five years or some longer period. It is proposed by this clause to reduce the minimum term of penal servitude to three years, and also to empower the court to substitute a sentence of imprisonment for a sentence of penal servitude.

By the Penal Servitude Act, 1853 (16 & 17 Vict. c. 99.), which first introduced sentences of penal servitude, partly in substitution for transportation and partly as an alternative mode of punishment, a scale of terms of penal servitude was provided in place of certain terms of transportation, a maximum and a minimum term being stated in each case. The minimum of all was a term of four years penal servitude (section 4).

By the Penal Servitude Act, 1857 (20 & 21 Vict. c. 3.), which abolished sentences of transportation, the above scale was also abolished, and for every statutory term of transportation the like term of penal servitude was substituted, but the minimum term was reduced to three years (section 2).

By the Penal Servitude Act, 1864 (27 & 28 Vict. c. 47.), the minimum was raised to five years, and where the statutory term was less, it was extended to five years (section 2). The same section fixed the minimum term, after a previous conviction of felony, at seven years; this enactment, however, has been repealed by the Prevention of Crimes Act, 1879 (42 & 43 Vict. c. 55. s. 1).

The effect of the above enactments on subsequent legislation has been that no statute has assigned a less term than five years.

In cases where an Act passed before 1864 assigned a minimum term of more than five years, the Act of 1864 did not reduce that period or give any discretion, and thus in one notable instance, that of unnatural offences under 24 & 25 Vict. c. 100. s. 61, a term of ten years penal servitude is still the fixed minimum. In many cases

under this enactment the judges have expressed regret that the law precluded them from passing a less sentence, and modifications of the sentence have been made by the Secretary of State.

It is proposed to make the 1st of October the date for the commencement of this clause. If it were brought into operation immediately on its passing, there would be an awkward interval between the passing and the promulgation, during which judges would not know whether the new law was in force or not.

Clause 2.

Under section 6 of the Penal Servitude Act, 1864, a constable may arrest the "holder" of a licence whom he reasonably suspects of having committed an offence or broken the conditions of his licence. Thus the power of arrest expires with the term of licence, even with respect to an offence committed during that term. There is no similar provision with respect to persons under police supervision. It is proposed by sub-section (1) of this clause to put the two classes in the same position, and to enable arrests to be made after, in respect of offences committed before, the expiration of the sentence in the one case and the period of police supervision in the other. It is also proposed to restrict their power of arrest, as in the case of powers under section 3 of the Prevention of Crimes Act, 1871, to constables authorised in writing to exercise the powers.

Sub-section (2) is intended to obviate a difficulty which has recently arisen. A magistrate has held that he cannot deal with a convict under section 3 of the Act of 1871 who may be before him, unless the convict has been in fact taken into custody by a constable who has acted under this section and exercised his discretion in so doing.

Clause 3.

By section 9 of the Act of 1864, if a convict is sentenced to a term of penal servitude in respect of an offence committed while on licence, his licence is at the same time forfeited by virtue of his conviction, and he has to serve the remainder of his original sentence after serving the term to which he was last sentenced. In such cases, under the existing law, there is, in the first place, no power to grant a fresh licence in respect of the remainder, and, in the next place, for the purposes of licences the two periods cannot be treated as one. The object of sub-sections (1) and (2) is to remedy these defects.

Sub-section (3) rectifies verbal errors in the same section and in the form of licence.

Clause 4.

It is proposed by this clause (*a*) to require notice to be given by a licensee or person subject to police supervision, when he intends to leave his place of residence, whether he is going to another police district or abroad; (*b*) to require such persons forthwith to give notice when they go to another police district, and in lieu of the provision in the Act of 1871 as to forty-eight hours, to make the saving clause applicable only in cases of *bonâ fide* travelling; and (*c*) to enable the court in its discretion to sentence a licensee guilty of a contravention of these regulations to a term of imprisonment not exceeding one year. Section five of the Act of 1871 at present requires the court to forfeit the licence (unless the term of penal servitude has expired) without any option of passing a less sentence, though, where the remainder unexpired is less than one year, the term of imprisonment may be increased up to one year.

This clause further enables Her Majesty to remit the requirements of the sections of the Act of 1871 as to notices.

Clause 5.

The object of this clause is to cure a defect in the provisions of the Penal Servitude Act, 1864, which is not cured by section 4 of the Prevention of Crime Act, 1871.

Clause 6.

The object of this clause is to provide for an accidental omission in section 7 of the Prevention of Crimes Act, 1871. That section at present applies to a twice-convicted man for seven years *after* the expiration of his second sentence, but it ought to apply also before the expiration of the second sentence, *i.e.*, whilst he is out on licence under the second sentence.

Clause 7.

Some doubt at present exists whether a reputed thief can be apprehended under section 4 of the Vagrant Act unless he is found more than once under suspicious circumstances in the same street or other place mentioned in the Act.

Clause 8.

By this clause it is proposed to extend the power of photographing prisoners, so as to enable photographs to be taken of prisoners before conviction, and also to provide for similar regulations to be made as to the measuring of prisoners.

Penal Servitude Bill,

[AS AMENDED BY THE STANDING COMMITTEE ON LAW.]

ARRANGEMENT OF CLAUSES.

Clause.

1. Amendment of law as to term of penal servitude and as to sentences of imprisonment.
2. Amendment of 27 & 28 Vict. c. 47. s. 6, and 34 & 35 Vict. c. 112. s. 3, as to apprehension of licensees and supervisees.
3. Power to grant licences in cases of unexpired terms.
4. Amendment of 34 & 35 Vict. c. 112. ss. 5, 8, as to notices of residence to be given by licensees and supervisees.
5. Amendment of 27 & 28 Vict. c. 47. ss. 4, 8, as to forfeiture of licence.
6. Extension of 34 & 35 Vict. c. 112. s. 7, to licensees.
7. Amendment of 5 Geo. 4. c. 83. as to rogues and vagabonds.
8. Regulations as to measuring and photographing of prisoners.
9. Application to Scotland and Ireland.
10. Short title.

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B I L L

[AS AMENDED BY THE STANDING COMMITTEE ON LAW]

TO

Amend the Law relating to Penal Servitude and the Prevention of Crime.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Amendment of law as to term of penal servitude and as to sentences of imprisonment. [See 9 & 10 Vict. c. 24. s. 1.]

1.—(1.) Where under any enactment in force when this section comes into operation a court has power to award a sentence of penal servitude, the sentence may, at the discretion of the court, be for any period not less than *three years*, and not exceeding either *five years*, or any greater period authorised by the enactment.

(2.) Where under any Act now in force or hereafter to be passed a court is empowered or required to award a sentence of penal servitude, the court may in its discretion, unless any future Act otherwise expressly provides, award imprisonment for any term not exceeding *two years*, with or without hard labour.

27 & 28 Vict. c. 47.

(3.) Section two of the Penal Servitude Act, 1864, is hereby repealed with respect to any sentence awarded after the date at which this section comes into operation.

(4.) This section shall come into operation on the first day of October one thousand eight hundred and ninety-one.

Amendment of 27 & 28 Vict. c. 47. s. 6., and 34 & 35 Vict. c. 112. s. 3., as to apprehension of licensees and supervisees.

2.—(1.) Any constable may take into custody without warrant any person whom he reasonably suspects of having, while at large under a licence granted in pursuance of the Penal Servitude Acts, or while under the supervision of the police in pursuance of the Prevention of Crimes Act, 1871, committed any offence, and may take him before a court of summary jurisdiction to be dealt with according to law.

A.D. 1891.

(2.) Any convict may be convicted before a court of summary jurisdiction of an offence against section three of the Prevention of Crimes Act, 1871, although he was brought before the court on some other charge or not in manner provided by that section.

(3.) Section six of the Penal Servitude Act, 1864, is hereby repealed.

Power to grant licences in cases of unexpired terms.

3.—(1.) Where an offender is, under section nine of the Penal Servitude Act, 1864, undergoing, or liable to undergo, a term of penal servitude in consequence of the forfeiture or revocation of a licence granted in pursuance of the Penal Servitude Acts, Her Majesty may grant a licence to the offender in like manner as if the forfeiture or revocation of the former licence were a sentence of penal servitude which the offender is liable to undergo.

(2.) Where a person is sentenced on any conviction to a term of penal servitude, and by virtue of the same conviction his licence is forfeited, the term for which he is sentenced, together with the term which he is required further to undergo under the said section, shall, for all purposes of the Penal Servitude Acts relating to licences, be deemed to be one term of penal servitude, and those Acts shall apply as if, on conviction of the offence, the offender had been sentenced to the combined term.

27 & 28 Vict. c. 47.

(3.) In section nine of the Penal Servitude Act, 1864, the words "on indictment of any offence" shall be substituted for the words "of any indictable offence," and in Schedule A. to the said Act the words "on indictment of some offence" shall be substituted for the words "of some indictable offence."

Amendment of 34 & 35 Vict. c. 112. ss. 5, 8 as to notices of residence to be given by licensees and supervisees. 42 & 43 Vict. c. 55.

4.—(1.) Sections five and eight of the Prevention of Crimes Act, 1871, and section two of the Prevention of Crimes Act, 1879 (which recites and refers to those sections), shall have effect as if the following substitutions had been made in the said sections five and eight; that is to say,

(*a.*) As if for the words "and whenever he changes his residence "from one police district to another shall notify such change "of residence to the chief officer of police of the police district "which he is leaving, and to the chief officer of police of the "police district into which he goes to reside" occurring in each section there had been substituted in each section the following words:

"and whenever he is about to leave a police district he shall "notify such his intention to the chief officer of police of that "district, stating the place to which he is going, and also, if

" required, and, so far as is practicable, his address at that " place, and whenever he arrives in any police district he shall " forthwith notify his place of residence to the chief officer of " police of such last-mentioned district;" and

(*b.*) As if for the words in section five, from "If any holder" to the end of the section, and for the words in section eight, from "If any person" to the end of the section, there had been substituted in each section the following words :—

"If any person to whom this section applies fails to comply with any of the requisitions of this section, he shall, in any such case, be guilty of an offence against this Act, unless he proves to the satisfaction of the court before whom he is tried, either that being on a journey he tarried no longer in the place, in respect of which he is charged with failing to notify his place of residence, than was reasonably necessary, or that otherwise he did his best to act in conformity with the law; and on conviction of such offence it shall be lawful for the court in its discretion either to forfeit his licence, or to sentence him to imprisonment with or without hard labour for a term not exceeding one year.

(2.) Her Majesty may, by order under the hand of a Secretary of State, remit any of the requirements of sections five and eight of the Prevention of Crimes Act, 1871, either generally or in the case of any holder of a licence or person subject to the supervision of the police.

Amendment of 27 & 28 Vict. c. 47. ss. 4, 8 as to forfeiture of licence.

5. The provisions of the Penal Servitude Act, 1864, applying to a licence in the form set forth in Schedule A. to that Act, shall apply also to a licence in any other form for the time being authorised by section ten of that Act.

Extension of 34 & 35 Vict. c. 112. s. 7 to licensees.

6. A person who has been convicted on indictment of a crime and against whom a previous conviction of a crime is proved shall,

(*a.*) if the second sentence is to a term of imprisonment, then at any time within seven years after the expiration of the sentence; and

(*b.*) if the second sentence is to a term of penal servitude, then whilst at large on licence under that entence, and salso at any time within seven years after the expiration of the sentence,

be guilty of an offence against the Prevention of Crimes Act, 1871, under the circumstances stated in section seven of that Act or any of them, and may be taken into custody in manner provided by that section.

A.D. 1891.

Amendment of 5 Geo. 4. c. 83. as to rogues and vagabonds.

7. Section four of the Act passed in the fifth year of the reign of King George the Fourth, chapter eighty-three, intituled "An "Act for the punishment of idle and disorderly persons and rogues "and vagabonds in that part of Great Britain called England," as amended by section fifteen of the Prevention of Crimes Act, 1871, shall be read and construed as if the provisions applying to suspected persons and reputed thieves frequenting the places and with the intent therein described, applied also to every suspected person or reputed thief loitering about or in any of the said places and with the said intent.

Regulations as to measuring and photographing of prisoners.

8. The Secretary of State may make regulations as to the measuring and photographing of all prisoners who may for the time being be confined in any prison; and all the provisions of section six of the Prevention of Crimes Act, 1871, with respect to the photographing of prisoners shall apply to any regulations as to measuring made in pursuance of this section. All regulations made under this section shall be laid before both Houses of Parliament as soon as practicable after they are made.

Application to Scotland and Ireland.

9. The powers of the Secretary of State under this Act shall be exercised as to Scotland by the Secretary for Scotland, and as to Ireland by the Lord Lieutenant.

Short title 16 & 17 Vict. c. 99. 20 & 21 Vict. c. 3. 27 & 28 Vict. c. 47.

10. This Act may be cited as the Penal Servitude Act, 1891, and this Act and the Penal Servitude Acts, 1853, 1857, and 1864, may be cited collectively as the Penal Servitude Acts, 1853 to 1891, and are in this Act referred to as the "Penal Servitude Acts."

Penal Servitude.

A

B I L L

[AS AMENDED BY THE STANDING COMMITTEE ON LAW]

To amend the Law relating to Penal Servitude and the Prevention of Crime.

(Prepared and brought in by Mr. Secretary Matthews and Mr. Stuart-Wortley.)

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[Bill 360.]

A

B I L L

TO

Amend the Pharmacy Acts.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Interpretation.

1. In this Act—

The term Pharmacy Acts shall mean the Pharmacy Acts, 1852 and 1868, and the Pharmacy Act (1868) Amendment Act, 1869; the terms "pharmaceutical chemist" and "chemist and druggist" shall have the same meanings respectively as in the Pharmacy Acts; and "the Society" shall mean the Pharmaceutical Society of Great Britain.

Extension of powers with respect to examinations and otherwise.

2. The powers of the Pharmacy Acts with respect to examinations required for obtaining certificates of qualification under the said Acts, or either of them, shall be extended so as to allow of the division of the said examinations into preliminary and other parts of the same; also to allow of or require periods of time and courses of instruction between any of the said parts; and to require that persons before presenting themselves for the final part of an examination shall deposit with the registrar under the said Acts certificates of their having duly attended courses of instruction in chemistry, botany, and materia medica, and of their having for not less than *three years* in the whole served in the open shops of pharmaceutical chemists or chemists and druggists, or in public hospitals or public dispensaries, as apprentices or pupils of persons qualified in accordance with the law of the country in which they are carrying on business to practise pharmacy in that country.

Power to make bye-laws for carrying out the provisions of Clause 2.

3. It shall be lawful for the Society from time to time, by byelaws duly confirmed by the Privy Council, to regulate the said division of examinations and also the said periods of time and study between any of the said parts; also to allow and provide for and to regulate the reception of certificates issued by other examining bodies in lieu of or so as to satisfy the examiners in lieu of the

A.D. 1891.

preliminary part of any examination; also to provide for and to regulate the courses of instruction in chemistry, botany, and materia medica, to be duly attended as aforesaid; also to provide for and to regulate the forms of certificates to be for any purpose of this Act deposited with the said registrar; and also to provide for and to regulate the notices to be given and fees to be paid by persons intending to present themselves for examination in any part of an examination or desiring any registration under the said Acts or either of them.

Persons eligible for election as student associates.

4. Every person who at the time of the *passing of this Act* shall have been duly registered as an apprentice or student and shall have been admitted into the Society under the provisions set forth in section ten of the Pharmacy Act, 1852, shall be registered as a "student associate" of the Society; and every person who thereafter shall become eligible for admission into the Society under that section shall be eligible for election as a "student associate" of the Society. "A student associate" shall contribute to the funds of the said Society the same annual subscription as an associate.

Chemists and druggists after examination eligible as associates; chemists and druggists in business, or who have attained the age of twenty-five years eligible as members and for election to the council.

5. Every person who shall have been registered as a chemist and druggist under the Pharmacy Act, 1868, by reason of having obtained a certificate of qualification from the Board of Examiners shall be eligible to be elected an associate of the Society according to the byelaws thereof, and every person who has obtained or who shall obtain registration as a chemist and druggist, and is in business on his own account, or has attained the age of twenty-five years, shall be eligible to be elected a member of the Society according to the byelaws thereof, and shall thereafter be eligible for election to the council of the Society, but the said council shall not at any time contain more than ten members who are not on the register of pharmaceutical chemists; and no person shall in right of membership acquired pursuant to this clause be placed on the register of pharmaceutical chemists.

An unqualified person not to compound for sale or to keep open shop for compounding medical prescriptions.

6. It shall be unlawful for any person to keep open shop for compounding medical prescriptions, unless he be a pharmaceutical chemist or chemist and druggist, or a medical practitioner acting within the exemptions concerning certain medical practitioners made by the Pharmacy Acts, or a person acting within the exemption concerning certain executors, administrators, and trustees, made by section sixteen of the Pharmacy Act, 1868. And it shall be unlawful for any person to compound medical prescriptions for sale unless he be a person holding one or other of the qualifications set forth in the foregoing portion of this section or be acting under

the supervision of such qualified person. Provided nevertheless that nothing in this section contained shall prevent any person registered under the Veterinary Surgeons Act, 1881, or holding a certificate in veterinary surgery from the Highland and Agricultural Society in Scotland, from dispensing medicines for animals under his care.

Penalties for infringements of provisions in clause 6. All penalties to be retained by the Society.

7. Every person acting in contravention of the preceding section shall for each contravention be liable to pay a penalty of *five pounds* and the said penalties of five pounds may be sued for, recovered, and dealt with in the manner provided by the Pharmacy Act, 1852, for the recovery of penalties under that Act, and all and every sum and sums of money which shall arise from any penalties for offences incurred under section six of this Act or under the Pharmacy Acts shall be paid to the treasurer of the Society, and shall by him be applied to the purposes of the said Acts and this Act or either of them.

Exemption of all registered chemists from jury service.

8. Every person registered as a chemist and druggist shall be exempt if he so desires from serving on all juries and inquests whatsoever, and the name of any such registered person shall not be returned in the list of persons liable to serve in such office as aforesaid.

Rotation of members of the council.

9. In lieu of the provision contained in the Royal Charter of incorporation of the Society that two-thirds of the members of the council shall in every year go out of office, it is hereby enacted that one-third of the members of council shall in every year go out of office in rotation, and the council of the Society is hereby authorised and empowered to make, alter, and amend the byelaws of the Society accordingly.

Extent of Act.

10. This Act shall not extend to Ireland.

Short title of Act.

11. This Act may be cited for all purposes as the Pharmacy Acts Amendment Act, 1891, and shall be construed as one with the Pharmacy Acts, and shall come into operation on the *first day of January one thousand eight hundred and ninety-two*, but no byelaw for the purposes authorised by sections two and three of this Act shall come into operation prior to the *first day of January one thousand eight hundred and ninety-six*.

Repeal.

12. Section fourteen of the Pharmacy Act, 1852, and sections eighteen, nineteen, and twenty of the Pharmacy Act, 1868, are hereby repealed.

Pharmacy Acts Amendment.

A

B I L L

To amend the Pharmacy Acts.

(*Prepared and brought in by Sir H. Roscoe, Dr. Farquharson, Sir Trevor Lawrence, Sir Guyer Hunter, and Mr. H. S. King.*)

Ordered, by The House of Commons, *to be Printed*, 20 *March* 1891.

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[*Price* ½*d.*]

[Bill 255.]

A

B I L L

TO

Confirm certain Provisional Orders made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Boscombe, Fraserburgh, Herne Bay, Mullion, Pennan, Scarborough, Uig, and Yarmouth (Great). A.D. 1891.

WHEREAS a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act, and set out in the schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Confirmation of Orders in schedule.

1. The several orders set out in the schedule to this Act shall be and the same are hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the *passing of this Act*, have full validity and force.

Special provisions as to houses of labouring class.

2. The undertakers mentioned in the said Orders shall not, under the powers of this Act or of the said Orders, without the consent of the Local Government Board in England or of the Secretary for Scotland in Scotland, as the case may be, purchase or acquire in any city, borough, or other urban sanitary district, or in any parish or part of a parish not being within an urban sanitary district in England, or in Scotland in any district within the meaning of the Public Health (Scotland) Act, 1867, as the case may be, ten or more houses which, after the *passing of this Act*, have been or on

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the *fifteenth day of December* last were occupied either wholly or partially by persons belonging to the labouring class as tenants or lodgers.

For the purposes of this section the expression "labouring class" includes mechanics, artizans, labourers, and others working for wages, hawkers, costermongers, persons not working for wages but working at some trade or handicraft without employing others except members of their own family, and persons other than domestic servants, whose income does not exceed an average of *thirty shillings* a week, and the families of any of such persons who may be residing with them.

Short title.

3. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 1) Act, 1891.

THE SCHEDULE OF ORDERS.

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1. Boscombe.—Amendment of former Orders; power to borrow on mortgage.
2. Fraserburgh.—Amendment of former Act and Order.
3. Herne Bay.—Addition to pier, and repeal of former Order.
4. Mullion.—Amendment of former Order.
5. Pennan.—Improvement of harbour.
6. Scarborough.—Addition to pier, and amendment of former Order.
7. Uig.—Construction of pier.
8. Yarmouth (Great).—Amendment of former Act and Order.

BOSCOMBE.

Boscombe.

Order for amending the Boscombe Pier Orders 1887 *and* 1889.

Short title.

1. This Order may be cited as the Boscombe Pier Order 1891; and this Order and the Boscombe Pier Orders 1887 and 1889 shall be read and construed together as one Order, and may be cited as the Boscombe Pier Orders 1887 to 1891.

Power to borrow money.

2. The Boscombe Pier Company Limited (in this Order called the Company) may from time to time borrow and re-borrow or raise money for the purposes of the Company in such manner and on such terms as they think fit; and secure the payment thereof by mortgage of the tolls and rates authorised by the Boscombe Pier Orders 1887 and 1889, but so that the amount at any one time owing in respect of money so borrowed shall not exceed 5,000*l.*; nevertheless no lender or other person dealing with the Company shall be concerned to see or inquire whether this limit is observed.

Application of money borrowed.

3. Every part of the money borrowed under this Order shall be applied only for the purposes to which capital of the Company is properly applicable.

Payment of arrears of interest and principal may be enforced by appointment of a receiver.

4. If within two months after the interest on any mortgage, debenture, or debenture stock granted by the Company has become due or after the period prescribed for the payment of the principal sum in any such mortgage, debenture or debenture stock has expired, such interest or principal, as the case may be, shall not be paid, the holder of such mortgage, debenture or debenture stock, may, without prejudice to any rights, remedies, or securities otherwise competent to or held by him, apply for the appointment of a receiver as herein-after provided.

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Boscombe.

Appointment of receiver.

5. Every application for the appointment of a receiver under the provisions of this Order shall be made to a justice of the peace for the county of Southampton; and on any such application the said justice may by order in writing, after hearing the parties, appoint some person as a receiver to receive the whole or a competent part of the tolls and rates authorised by the Boscombe Pier Orders of 1887 and 1889, until all the arrears of interest, or of principal, or of principal and interest as the case may be, then due on the outstanding mortgages debentures or debenture stock, with all costs, including the charges of receiving the said tolls and rates, be fully paid; and upon such appointment being made the tolls and rates shall be paid to and received by the receiver; and as soon as the full amount of interest, or of principal, or of principal and interest, as the case may be, and costs has been so received, the power of the receiver shall cease; and after payment of the said costs, the receiver shall distribute among all the holders of the said mortgages, debentures, or debenture stock to whom interest or principal shall be in arrear, the tolls rates and other moneys which shall have been received by him, having regard in such distribution to the priorities (if any) of such mortgages.

Amount to authorise application for receiver.

6. The amount to authorise the application for the appointment of a receiver shall be 500*l.* in one or more mortgages.

Order to be a special Act authorising mortgages, &c.

7. For the purposes of section three of the Companies Clauses Act, 1869, this Order shall be deemed to be a special Act of the Company empowering the Company to raise money on mortgages, debentures and debenture stock.

Costs of Order.

8. All costs, charges and expenses of or incidental to preparing and obtaining this Order or otherwise incurred in reference thereto, shall be paid by the Company.

FRASERBURGH.

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Fraserburgh.

Order for the Amendment of the Fraserburgh Harbour Act 1878 *and the Fraserburgh Harbour Order* 1884 *and for conferring further powers on the Fraserburgh Harbour Commissioners.*

Order to be construed with Act of 1878 and Order of 1884.

1. This Order may be cited as the Fraserburgh Harbour Order 1891 and this Order and the Fraserburgh Harbour Act 1878 (in this Order called "the Act of 1878") and the Fraserburgh Harbour Order 1884 (in this Order called "the Order of 1884") as respectively amended by this Order shall be read and construed together as one Act or Order and may be cited together as the Fraserburgh Harbour Act 1878 and Fraserburgh Harbour Orders 1884 and 1891.

Interpretation.

2. In this Order the expression "the Commissioners" means the Fraserburgh Harbour Commissioners The expression "the harbour" means the harbour of Fraserburgh referred to in the Act of 1878 and the Order of 1884.

Undertakers.

3. The Commissioners shall be the Undertakers for carrying this Order into execution.

Extension of time for completion of works.

4. The time limited by the Act of 1878 for the completion of the works by that Act authorised shall be and the same is hereby extended and enlarged until the 16th day of June 1898 and on the expiration of that period the powers for completing such works shall cease except as to so much thereof as shall then be completed.

Repeal of section 27 and portion of section 20 of the Act of 1878.

5. From and after the passing of the Act confirming this Order the words "to the extent of at least fifty tons" in sub-section B—*shipowners of Fraserburgh*—of section 20 and the whole of section 27 of the Act of 1878 shall be and the same are hereby cancelled and repealed.

Repeal of Schedules A B C and D to the Order of 1884.

6. As and from the first day of September eighteen hundred and ninety-one the Schedules A B C and D annexed to the Order of 1884 shall be and the same are hereby cancelled and repealed and the Schedules A B C and D to this Order annexed shall be and the same are hereby substituted in place of the schedules so cancelled and repealed and all the provisions of the Act of 1878 and the Order of 1884 having relation to the schedules so cancelled and repealed including the provisions having relation to the security over such rates for borrowed money except so far as amended by this Order shall be read and have effect as if the schedules to this Order had been annexed to and formed part of the Order of 1884 Nevertheless all dues rates and moneys becoming due before the said 1st day of September may be received and recovered in like manner as if this Order had not been made.

Provisions as to collection of rates.

7. Without prejudice to the Commissioners' rights to levy rates for goods shipped and unshipped in the harbour from the several persons described in sections eighty-six and eighty-seven of the Act of 1878 the Commissioners may levy sue for and recover the rates for white fish and for fresh herrings brought into the harbour direct from sea either from the fish salesmen or

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auctioneers who dispose of such fish or from the persons purchasing or receiving delivery of the same who shall respectively be entitled to deduct the amount of such rates from the price at which such fish were sold or purchased and such fish salesmen auctioneers and purchasers or receivers of such fish shall when required be respectively bound to furnish the Commissioners or their collector of rates with a true account under their hands of the quantity or value of such fish and to verify the same by the production of their books and every person who shall refuse to give such account or who shall subscribe a false account shall be deemed guilty of an offence for which he shall be liable to a penalty not exceeding ten pounds.

Revision of rates.

8. The Commissioners shall from time to time revise the rates received by them under the Act of 1878 the Order of 1884 and this Order so that the income of the Commissioners may always be so far as practicable sufficient and not more than sufficient for the purposes of the Act of 1878 the Order of 1884 and this Order and if at any time and from time to time the clear annual income derived from the harbour and works on the average of the then three last preceding years after payment of all expenses and outgoings shall exceed the amount sufficient to answer the said purposes the Board of Trade may if in their discretion they think fit reduce the rates leviable under this Order to such extent as will be sufficient to provide the amount aforesaid and the rates shall thereupon be reduced accordingly but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding those authorised by this Order.

Account to be made up on 25th March.

9. The annual account in abstract a copy whereof is to be sent to the Clerk of the Peace and to the Board of Trade shall be made up at the end of the day on the 25th day of March in each year.

Harbour not to be used as stores for curing.

10. From and after the passing of the Act confirming this Order the harbour shall not be used by vessels or boats as stores for curing herrings or other fish.

Certain fishing vessels under stress of weather exempt from rates.

11. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter on the coasts of the United Kingdom shall when forced by stress of weather to make use of the harbour and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Certain officers and others exempt from rates.

12. The Secretary for Scotland or any person or persons deputed by him and officers of the Board of Trade and of the Fishery Board for Scotland being in the execution of their duty shall at all times have free ingress passage and egress to or along and from the harbour and works by land and with their vessels or otherwise without payment.

Saving rights under Crown Lands Act 1866.

13. This Order shall not be taken as a consent to the surrender of any rights interests powers authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act 1866 nor shall any works under the Act of 1878 be commenced within limits affected by any such rights interests powers authorities or privileges without the assent of the Board of Trade having been first obtained.

14. All the costs charges and expenses of or incident to preparing and obtaining this Order or otherwise incurred in relation thereto shall be paid by the Commissioners.

SCHEDULES referred to in the foregoing Order.

SCHEDULE A.

I.

RATES FOR VESSELS.

CLASS I.

	£	*s.*	*d.*
(1.) For all vessels to or from any port or place in Great Britain or Ireland - - - - - per register ton	0	0	4
(2.) For all pleasure yachts not carrying goods or passengers for hire to or from any port or place in Great Britain or Ireland per register ton	0	0	2

CLASS II.

	£	*s.*	*d.*
(1.) For all vessels to or from all other places not in Great Britain or Ireland - - - - - per register ton	0	0	8
(2.) For all pleasure yachts not carrying goods or passengers for hire to or from any port or place not in Great Britain or Ireland per register ton	0	0	3

For any vessel under Class I. carrying general cargo or making twenty voyages or upwards in a year shall be allowed a deduction from the tonnage duty on such vessel at the rate of twopence per register ton each voyage.

For vessels launched at Fraserburgh half rates shall be paid on the first sailing thereafter outwards if in ballast only but if loading goods or passengers full rates shall be paid.

For vessels entering the harbour for safety or wind-bound and not breaking bulk nor taking in goods (stores for their own use excepted) the following rates shall be paid namely—

One penny per register ton if on a voyage to or from any port or place in Great Britain or Ireland and twopence per register ton if on a voyage to or from any other port or place.

But in the case of all classes if they break bulk or take in goods (except stores as aforesaid) full rates shall be paid.

The rates above specified shall not be charged both on the arrival of a vessel inwards and on her next following sailing outwards but shall be charged only on one of them and it shall be in the option of the Commissioners to charge

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Fraserburgh.

the said rates according to the class either on the sailing inwards or on the sailing outwards.

If the rates shall be charged on the sailing outwards there shall be deducted therefrom the amount of rates that may have been previously paid on the sailing inwards but if any vessel having sailed inwards sail outwards in ballast the rates shall be charged only on the sailing inwards.

For vessels sailing from the harbour and putting back by stress of weather or other cause without having accomplished the voyage no additional rates shall be charged on such return.

For vessels remaining in the harbour there shall be paid in advance a rate of 3*d.* per register ton for a month or for any period less than a month in which such vessels shall remain in the harbour after the expiration of six weeks from their arrival and 1*d.* per register ton per month after the expiration of any entire month beyond the six weeks above mentioned.

Any period less than a month after the expiration of any entire month shall for the purposes of the above rate be deemed a month and the rate shall not be chargeable for any vessels while under repair on slips or in graving or dry docks.

EXEMPTION.

No rate shall be charged for tug steamers plying by the authority or license of the Commissioners while such tug steamers are employed only in towing vessels into or out of the harbour.

II. RATES FOR FISHING VESSELS AND BOATS.

	£	*s.*	*d.*
For each boat whether decked or undecked engaged at Fraserburgh in any fishing season in the prosecution of the herring fishery for the season and payable in advance either 2*s.* per register ton or the sum of 30*s.*			
For each boat whether decked or undecked not engaged for the season in the herring fishery at Fraserburgh but loading or discharging herrings on entering the harbour each time - -	0	2	6
For each boat whether decked or undecked loading or discharging fresh fish at any season of the year except boats engaged at the herring fishery during the regular season thereof on entering the harbour each time—			
If 25 tons register and under, and not a steam trawler -	0	1	6
If a steam trawler, 25 tons register and under - - -	0	3	0
If above 25 tons register including steam trawlers per register ton - - - - - -	0	0	2

For all boats whether decked or undecked loading or discharging any other article than fish on entering the harbour each time the same as coasting vessels.

For all boats whether decked or undecked coming into the harbour wind-bound or on account of stress of weather with or without cargoes—

	£	*s.*	*d.*
If not exceeding 20 tons register and not a steam trawler -	0	1	0
If above 20 and not exceeding 30 tons register and not a steam trawler - - - - - - - -	0	1	6
If a steam trawler not exceeding 30 tons register - -	0	1	6

For all boats including steam trawlers above 30 tons register the same as coasting vessels.

Note.—The rates on the three last classes for any one year may be compounded for in respect of any boats under 25 tons register by a payment to the Commissioners of 25*s.* and in the case of steam trawlers under 25 tons register by a payment of 3*l.* 10*s.* and on such payment being made no further rates shall be levied for such boat or trawler within the year so long as employed as described in these three classes.

For all boats remaining in the harbour after the expiration of two weeks from the date of their arrival for the purpose of being fitted out or for any purpose whatever if not engaged in fishing 2*s.* per boat for each week or part of a week over and above the dues exigible on arrival.

The foregoing shall apply not only to boats and trawling vessels belonging to Great Britain and Ireland but also to boats and fishing vessels belonging to foreign countries.

SCHEDULE B.

Rates for Goods.

Description of Goods.	Quantity.	Rate.		
		£	*s.*	*d.*
Ale and beer - - - - -	per 54 gallons	0	0	6
Ditto in bottles - - - -	per ton	0	2	6
Alkali - - - - - -	per ton	0	1	6
Alum - - - - - -	per ton	0	1	6
Ammonia water - - - - -	per ton	0	1	0
Animalised carbon - - - -	per ton	0	1	0
Apples and pears - - - -	per ton	0	2	0
Ashes viz :—				
Pot and pearl - - - -	per ton	0	2	0
Weed - - - - -	per ton	0	1	0
Asphalte or bitumen - - - -	per ton	0	1	0
Bacon - - - - - -	per ton	0	1	6
Barilla - - - - - -	per ton	0	1	6
Bark - - - - - -	per ton	0	1	8
Barley hulled - - - - -	per ton	0	1	6

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Description of Goods.	Quantity.	Rate. £	s.	d.
Barley dust	per ton	0	1	0
Barrels empty herring	each	0	0	1
Barytes	per ton	0	1	6
Beef fresh and salted	per ton	0	2	0
Beer spruce or black	per 3 gallons	0	0	1
Bleaching salts and powder	per ton	0	1	6
Blood of cattle	per ton	0	1	0
Blubber	per 250 gallons	0	6	6
Boats viz. :—				
12 to 14 feet keel	each	0	2	6
14 to 16 „	each	0	3	0
16 to 18 „	each	0	3	6
18 to 20 „	each	0	4	0
20 and above	each	0	5	0
Cobbles viz. :—				
12 to 14 feet long	each	0	2	0
14 to 16 „	each	0	2	6
16 to 18 „	each	0	3	0
18 to 20 „	each	0	3	6
Other cobbles in proportion.				
Bones of cattle bone ash and bone meal	per ton	0	1	0
Bones of cattle ground (export)	per ton or 48 bushels	0	0	6
Books and stationery	per ton	0	2	0
Bottles	per ton	0	2	0
Ditto broken and cullet	per ton	0	0	6
Boxes empty salmon	each	0	0	1
Bran pollard and sharps	per ton	0	1	0
Brass	per ton	0	2	0
Bricks common fireclay and bath	per ton	0	0	4
Brimstone	per ton	0	1	6
Butter	per ton	0	2	0
Calamine or zinc ore	per ton	0	1	0
Candles	per ton	0	2	0
Carpets rugs and upholstery articles	per ton	0	2	6
Carriages with springs viz :—				
Under 5 cwt.	each	0	2	6
5 cwt. and under 7½ cwt.	each	0	5	0
7½ cwt. and under 10 cwt.	each	0	7	6
10 cwt. and above	each	0	10	0
Carrots	per ton	0	1	0
Carts and waggons with or without springs	per ton	0	2	6

	Description of Goods.	Quantity.	Rate. £	*s.*	*d.*
	Casks boxes and kits empty	per ton	0	2	6
	Cattle and live animals :—				
5	Asses and mules	each	0	1	0
	Bulls cows and oxen	each	0	1	0
	Calves	each	0	0	2
	Sheep lambs swine pigs and goats	each	0	0	1½
	Horses	each	0	2	0
10	Horses and cattle (Orkney or Shetland breed)	each	0	0	6
	Ponies under 12 hands high	each	0	0	6
	Dogs and foxes	each	0	0	6
	Ferrets and rabbits	each	0	0	1
	Ducks hens and other fowls	each	0	0	1
15	Cement	per ton	0	1	3
	Chalk	per ton	0	0	6
	Charcoal and charcoal blacking	per ton	0	2	0
	Cheese	per ton	0	2	0
	Chimney tops or cans (clay)	each	0	0	1
20	China	per ton	0	2	0
	Chrome ore	per ton	0	1	0
	Clay viz. :—				
	China or stone clay	per ton	0	0	9
	Fire clay and loam clay	per ton	0	0	6
25	Pipe clay	per ton	0	1	0
	Clocks	each	0	0	6
	Clothiery haberdashery and silk mercery	per ton	0	2	0
	Clover seeds	per ton	0	1	0
	Coal dust	per ton	0	0	8
30	Coals	per ton	0	0	8
	Coffee	per ton	0	2	0
	Confections	per ton	0	2	0
	Copper viz. :—				
	Bars rods sheets and nails	per ton	0	1	0
35	Utensils for distilleries and other purposes	per ton	0	2	6
	Old	per ton	0	2	0
	Ore	per ton	0	1	0
	Copperas	per ton	0	1	6
	Coprolites	per ton	0	0	9
40	Cordage and wire rope	per ton	0	1	6
	Corks and corkwood	per ton	0	2	0
	Corn viz. :—				
	Barley or bere malt oats wheat rye beans peas and maize	per ton	0	1	3

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Description of Goods.	Quantity.	Rate. £	s.	d.
Cotton seed	per ton	0	1	0
Cotton wool	per ton	0	2	0
Ditto manufactured	per ton	0	2	0
Crystal	per ton	0	2	0
Currants raisins and dried fruits	per ton	0	1	9
Cutch and gambia	per ton	0	1	0
Drain pipes under 3 inches diameter	per 1000	0	0	6
Ditto of other sizes	per ton	0	1	0
Ditto pipe collars	per 1000	0	0	3
Drugs medicines and medicinal oils	per ton	0	2	6
Dung	per ton	0	0	4
Earthenware	per ton	0	2	0
Earthenware pipes glazed	per ton	0	1	0
Eggs	per ton	0	2	6
Esparto grass	per ton	0	1	0
Feathers	per ton	0	5	0
Felt	per ton	0	2	0
Fire-clay retorts flue covers quarls vent linings and other manufactures of fire clay except bricks	per ton	0	1	0
Fish salted	per ton	0	1	6
Ditto dry	per ton	0	2	6
Ditto in bulk salted	per 100*l.* value	1	0	0
Ditto fresh haddocks cod ling and all fish not enumerated	per £ value	0	0	3
Flax	per ton	0	2	4
Flax codilla	per ton	0	1	6
Ditto manufactured	per ton	0	2	6
Flint for potters	per ton	0	0	6
Flour	per ton	0	1	4
Furniture	per ton	0	2	6
Gelatine of screws	per ton	0	2	0
Ginger	per ton	0	2	3
Glass window and plate	per ton	0	2	0
Grapes and plums	per ton	0	2	3
Grease	per ton	0	1	0
Guano	per ton	0	1	0
Gunpowder dynamite and other explosives	per ton	0	6	0
Gypsum ground	per ton	0	1	0
Ditto unground	per ton	0	0	6
Hair dry wet or plaster	per ton	0	2	0

Description of Goods.	Quantity.	Rate.		
		£	*s.*	*d.*
Hams	per ton	0	2	0
Hardware	per ton	0	2	0
Hats	per ton	0	2	6
Hay and straw	per ton	0	1	0
Hemp	per ton	0	2	0
Ditto dressed	per ton	0	2	0
Ditto codilla	per ton	0	1	0
Herrings viz. :—				
Fresh direct from sea	per 37½ gallons	0	0	3
Ditto (cured) exported	per 26⅔ gallons	0	0	3
Ditto cured or partially cured	per 37½ gallons	0	0	3
Ditto smoked partially smoked or preserved in bulk or in boxes	per ton	0	1	6
Hides and skins raw and undressed	per ton	0	2	0
Hoofs	per ton	0	2	0
Hoops of wood	per bundle of 120	0	0	0½
Hops	per ton	0	2	6
Horns	per ton	0	2	6
Horn tips sloughs shavings and waste	per ton	0	1	0
Husbandry implements viz. :—				
Ploughs	each	0	0	9
Harrows	per pair	0	0	9
Wheelbarrows	each	0	0	4
Other implements	per ton	0	2	6
Ice	per ton	0	1	0
Iron viz. :—				
Bar bolt angle rod plate sheet hoop nails and wire	per ton	0	1	0
Forged ironwork and machinery	per ton	0	1	6
Steam boilers whole or in pieces	per ton	0	2	0
Grates stoves and tinned work pots and other hollow cast-iron work	per ton	0	1	6
All other castings	per ton	0	1	6
Rust	per ton	0	1	0
Pig	per ton	0	0	6
Old	per ton	0	0	6
Ore	per ton	0	0	2
Junk or old ropes	per ton	0	1	0

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Description of Goods.	Quantity.	Rate. £	s.	d.
Jute	per ton	0	1	0
Ditto manufactured	per ton	0	1	0
Kelp	per ton	0	1	0
Lard	per ton	0	2	0
Lead viz.:—				
Sheet pipe pigs and shot	per ton	0	1	6
Red white and black	per ton	0	1	6
Ore	per ton	0	1	0
Leather	per ton	0	2	0
Lemons	per ton	0	2	0
Lime	per ton or 30 bushels	0	0	7½
Linen yarn	per ton	0	2	6
Linseed	per ton	0	1	0
Locust beans whole or ground	per ton	0	1	0
Lucifer matches	per ton	0	2	0
Madder ground	per ton	0	2	6
Madder root	per ton	0	2	6
Manganese	per ton	0	1	0
Mangold wurzel	per ton	0	0	6
Manures manufactured (import)	per ton	0	1	0
Ditto ditto (export)	per ton	0	1	0
Mats cargo and dunnage	per ton	0	0	9
Meal viz.:—				
Oatmeal peasemeal maize-meal	per ton	0	1	4
Mill waste	per ton	0	1	0
Molasses	per ton	0	1	6
Musical instruments	per ton	0	2	6
Mussels	per ton	0	0	6
Nutmegs	per ton	0	2	3
Nuts	per ton	0	2	3
Oakum	per ton	0	1	6
Ochre	per ton	0	1	0
Oil not otherwise enumerated	per ton	0	2	0
Oil cake (import)	per ton	0	1	6
Ditto (export)	per ton	0	1	0
Onions	per ton	0	2	0
Oranges	per ton	0	2	0
Oysters and shell fish not otherwise enumerated	per ton	0	1	6
Packthread and twine	per ton	0	2	6
Paper	per ton	0	2	6
Paper shavings	per ton	0	1	0
Paraffin oil and petroleum	per ton	0	1	3

Description of Goods.	Quantity.	Rate.		
		£	*s.*	*d.*
Paste or mill boards	per ton	0	2	6
Pearl harding	per ton	0	1	6
Peats	per ton	0	0	6
Pepper and pimento	per ton	0	2	3
Pewter	per ton	0	2	0
Phosphates manufactured	per ton	0	1	0
Pipes tobacco	per ton	0	2	6
Pitch	per ton	0	1	0
Pitch oil	per ton	0	1	0
Plants trees and shrubs	per ton	0	2	6
Plaster of Paris	per ton	0	1	0
Pork (fresh and salted)	per ton	0	2	0
Porter	per 54 gallons	0	0	6
Ditto in bottles	per ton	0	2	6
Potatoes	per ton	0	1	0
Preserved provisions	per ton	0	1	6
Pyrites	per ton	0	0	6
Ditto burnt or spent	per ton	0	0	3
Rags	per ton	0	1	0
Rails composite or steel and iron	per ton	0	1	0
Rapeseed and rubenseed	per ton	0	1	0
Rice	per ton	0	1	6
Rosin	per ton	0	1	0
Rye grass seeds	per ton	0	1	0
Saddlery articles	per ton	0	2	6
Sago	per ton	0	1	6
Sailcloth	per ton	0	2	0
Saltpetre refined	per ton	0	2	0
Salt rock and white	per ton	0	1	0
Imported	per ton	0	1	0
Exported in bulk	per ton	0	0	5
Ditto in barrels (barrels included)	per $26\frac{2}{3}$ gallons	0	0	2
Salts muriates nitrates sulphates saltpetre and other salts for manures not otherwise enumerated	per ton	0	1	0
Sand	per ton	0	0	4
Screws of hides viz.:—				
Dry	per ton	0	2	0
Wet	per ton	0	1	0
Scythes	per ton	0	2	6
Sealskins	per score	0	0	4
Seeds not otherwise enumerated	per ton	0	2	0

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Description of Goods.	Quantity.	Rate. £	*s.*	*d.*
Shakes of casks of 84 gallons capacity - -	each	0	0	2
Others in proportion.				
Sheffield and Birmingham wares - - -	per ton	0	2	6
Shumac - - - - - -	per ton	0	2	6
Sids or oat husks - - - -	per ton	0	0	6
Slates - - - - - -	per ton	0	0	10
Slate slabs - - - - -	per ton	0	1	6
Smalts and ultramarine - - - -	per ton	0	2	6
Snuff - - - - - -	per ton	0	2	6
Soap - - - - - -	per ton	0	1	6
Soda and soda ash - - - -	per ton	0	1	0
Soot - - - - - -	per ton	0	0	6
Spades and shovels - - - -	per ton	0	1	6
Spanish and Italian juice - - - -	per ton	0	2	3
Spirits - - - - - -	per ton	0	2	6
Starch - - - - - -	per ton	0	2	6
Steel - - - - - -	per ton	0	1	6
Stones viz.:—				
Carriageway granite - - - -	per ton	0	0	2
Kerb pavement and building - - -	per ton	0	0	5
Rubble and chips - - - -	per ton	0	0	2
Road metal - - - - -	per ton	0	0	2
Freestone building - - - -	per ton	0	0	5
Rigging stones - - - -	per ton	0	1	6
Millstones grindstones and scythe stones -	per ton	0	1	6
Marble stones - - - - -	per ton	0	2	6
Flag stones Turin or Caithness - -	per ton	0	0	9
Polished granite stones - - -	per ton	0	1	6
All other description of stones - -	per ton	0	1	0
Stoneware - - - - -	per ton	0	2	0
Stucco - - - - - -	per ton	0	1	0
Sugar raw - - - - -	per ton	0	1	6
Ditto refined - - - - -	per ton	0	2	0
Tallow and paraffin wax - - - -	per ton	0	2	0
Tanners' waste - - - - -	per ton	0	0	6
Tar - - - - - -	per 31½ galls.	0	0	2
Tares - - - - - -	per ton	0	1	0
Teas - - - - - -	per ton	0	2	0
Terra alba or sulphate of lime - - -	per ton	0	1	0
Tiles - - - - - -	per 1000	0	1	0
Tin - - - - - -	per ton	0	2	0
Tin plates - - - -	per ton	0	1	0

Description of Goods.	Quantity.	Rate. £	Rate. s.	Rate. d.
Tobacco - - - - - -	per ton	0	2	6
Tow - - - - - -	per ton	0	1	6
Toys - - - - - -	per ton	0	2	6
Turnips - - - - - -	per ton	0	0	6
Umber - - - - - -	per ton	0	1	0
Varnish - - - - - -	per ton	0	2	6
Vinegar - - - - - -	per ton	0	1	8
Vitriol and acids in carboys - - -	per ton	0	1	6
Whalebone or whale fins - - - -	per ton	2	0	0
Whitening - - - - -	per ton	0	0	6
Wine in casks or in bottles - - -	per ton	0	2	0
Wood viz.:—				
Fir larch beech oak ash elm and all other hard woods rough or round or in plank or sided -	per 50 cubic feet	0	1	0
Masts and spars - - - -	per 50 cubic feet	0	1	0
Fir deals planks and boards or battens -	per 50 cubic feet	0	1	0
Railway sleepers - - - -	per 50 cubic feet	0	1	0
Lathwood sawn - - - -	per 1000 superficial feet	0	1	0
Cart wheel spokes and felloes - -	per 40 pieces	0	0	3
Wedges - - - - -	per 1000 pieces	0	1	0
Pitprops not exceeding 6 inches in average diameter - - - - -	per 50 cubic feet	0	0	9
Wainscot - - - - -	per 50 cubic feet	0	1	3
Deal ends 3 inches thick and under 4 feet in length and firewood - - -	per 50 cubic feet	0	0	6
Rickers under 30 feet in length and under 4 inches diameter - - - -	per dozen	0	0	3
Oars - - - - -	per dozen	0	0	4
Handspokes - - - - -	per dozen	0	0	4
Treenails - - - - -	per 1000 lineal feet	0	0	6

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Description of Goods.	Quantity.	Rate. £	s.	d.
Wood by weight—				
Bar wood box wood Brazil wood cam wood ebony fustic lignum vitæ logwood Nicaragua wood red wood sassafras &c. - -	per ton	0	2	0
Mahogany - - - - -	per 40 feet or ton	0	2	0
Wood staves and billets—				
Herring barrel billets - - -	per 50 cubic feet	0	1	0
Herring barrel staves - - -	per 1000 superficial feet	0	1	2
All other kinds not enumerated - -	per £ value	0	0	4
Wood pulp - - - - -	per ton	0	1	6
Wool sheep's - - - - -	per ton	0	2	6
Ditto manufactured - - - -	per ton	0	2	6
Yeast - - - - - -	per ton	0	2	0
Zinc - - - - - -	per ton	0	1	6
All goods not otherwise enumerated in the foregoing schedule - - - - -	per ton	0	2	0

Notes with reference to the foregoing Schedule.

The ton mentioned in the foregoing schedule is the ton of twenty hundredweight.

Goods of all descriptions rated by the ton shall be charged according to gross weight fractional parts of a ton shall be charged proportionately and the minimum charge for a single package shall be one penny Where rates shall have been paid for goods on importation and such goods shall be re-shipped in the original packages and shall not have changed ownership but shall continue to belong to the same owner as when imported such goods shall be exempt from the payment of rates on exportation.

If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded no rates shall be charged a second time for such goods on being reloaded if they belong to the original owner.

Where any goods shall have been shipped and the rates therefor paid and such goods shall thereafter be relanded within the harbour by reason of the detention therein of the vessel by stress of weather and shall not be re-shipped such rates shall be repaid.

EXEMPTIONS.

Empty boxes casks bags and pack sheets returned to the original shipper after importation or exportation with goods.

Empty casks or other stores shipped for or on being returned from the seal and whale fishing as also all ships' provisions necessary for the voyage.

The luggage of each passenger not exceeding two and a half cwt. but for all above the rate of two shillings and sixpence per ton shall be paid by each passenger.

SCHEDULE C.

Rates for Lights Flags and Signals.

		£	*s.*	*d.*
For all vessels - - - -	per register ton	0	0	0¼

These rates shall only be demanded and received during so long as lights flags and signals are exhibited in accordance with the provisions of the Act of 1878.

SCHEDULE D.

Rates for the Lifeboat and Lifeboat Establishment.

		£	*s.*	*d.*
For all vessels from any port or place in Great Britain or Ireland - - - - - -	each vessel	0	1	0
For all vessels from any other port or place - -	each vessel	0	2	0
For all boats engaged in the prosecution of the herring fishing for the season - - - -	per boat	0	1	0
For sailing or steam trawlers - - - -	per year	0	3	6

These rates shall only be demanded and received during so long as the lifeboat and lifeboat establishment shall be maintained in efficient order, as to which a certificate of the Board of Trade shall be conclusive.

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HERNE BAY.

Order for repealing the Herne Bay Promenade Pier Order 1872 *and authorising the Extension and Maintenance of a Pier and other Works at Herne Bay in the County of Kent.*

Undertakers.

1. The Herne Bay Pier Company Limited (in this Order called "the Company") formerly called the Herne Bay Pavilion Promenade and Pier Company Limited shall be the Undertakers for carrying this Order into execution and shall have and may exercise the powers and privileges conferred by this Order.

Repeal of Order of 1872.

2. From and after the passing of the Act confirming this Order the Herne Bay Promenade Pier Order 1872 shall be and the same is repealed but neither this Order nor the repeal hereby effected shall affect anything duly done or suffered under the Herne Bay Promenade Pier Order 1872 or any right or liability acquired exercised or incurred under that Order.

Limits of Order.

3. The limits within which the Company shall have authority and which shall be deemed the limits to which this Order and the power to levy rates extend shall be the pier and works as existing or by this Order authorised.

Order to apply to existing works.

4. This Order shall apply to the existing pier and works of the Company and the conveniences connected therewith in the same manner as if such pier and works had been constructed and completed under powers given by this Order.

Incorporation of parts of Acts.

5. The Lands Clauses Consolidation Acts 1845 1860 and 1869 (except so much thereof as relates to the purchase or taking of lands otherwise than by agreement) are incorporated with and form part of this Order. For the purposes of such incorporation the term "Special Act" in the said Acts shall be construed to mean this Order.

Power to take lands by agreement.

6. For the purposes of the works authorised by this Order the Company may from time to time by agreement enter on take and use all or such parts of the lands shown on the plans deposited for the purposes of this Order (including the site of the existing pier) as they think requisite for the purposes of the works authorised by this Order and of the conveniences connected therewith and may hold and use for those purposes such of the said lands as they may have acquired within one year from the date of the passing of the Act confirming this Order.

Lands for extraordinary purposes.

7. The Company may purchase and hold for extraordinary purposes any land not exceeding in the whole five acres.

Company not exempt from proceedings for nuisance.

8. This Order or anything herein contained shall not exempt the Company from any proceeding on account of any nuisance caused by them on any land acquired by them under this Order.

Power to execute works.

9. Subject to the provisions of this Order and subject to such alterations (if any) in the deposited plans and sections as the Board of Trade may require from time to time before completion of the works in order to prevent injury to navigation the Company may on the lands belonging to them or acquired under this Order maintain with the works enlargements and improvements by this Order authorised the existing pier at Herne Bay in the parish of Herne in the county of Kent in the lines and situation and according to the levels and within the

limits of deviation shown on the deposited plans and sections together with all proper landing-places toll-gates toll-houses approaches works and conveniences connected therewith.

Description of works authorised.

10. The works enlargements and improvements by this Order authorised comprise the following:—

(i.) The making and maintenance in the said parish of Herne in the county of Kent and the bed and shore of the sea adjoining thereto an extension seaward of the existing pier of the Company commencing at the northern face of such pier and terminating at a distance of 1,200 yards from the point of commencement.

(ii.) The dredging scouring and deepening of the bed and shore of the sea at or near any part of the existing pier or the extension thereof and the taking down removing altering extending replacing or restoring of all or any part of the existing pier.

The pier jetties and works to be constructed under the authority of this Order to be open and not solid.

Company may provide cranes &c.

11. The Company may provide all necessary and proper cranes buoys moorings engines accumulators electric and other apparatus and machinery and hawsers and other works buildings and conveniences for use in connexion with the existing pier and the extension thereof.

Consent of Board of Trade to certain works.

12. Any works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade having been first obtained in writing.

Further powers as to buildings tramways &c.

13. The Company may erect construct and maintain on the existing pier and the extension thereof (together herein-after called "the pier") or the approaches thereto pavilions or assembly rooms concert lecture reading refreshment and other rooms lavatories closets baths buildings and conveniences (all which matters and things are in this Order included in the word "buildings") and may lay down erect construct and maintain upon or in connexion with the pier and use and work a tramway or tramways for the conveyance of passengers animals goods and merchandise and use electricity steam mechanical or other motive power on such tramway or tramways (all which matters and things are in this Order included in the word "tramways") and may from time to time make and recover such charges for the use of the buildings or tramways or any of them or any part or parts thereof respectively as they from time to time think fit and may from time to time let or lease the said buildings or tramways or any of them or any part or parts thereof respectively for any term not exceeding seven years to such person company or corporation upon such terms (pecuniary or otherwise and under such restrictions and conditions as they think fit.

Power to close pier on special occasions &c.

14. The Company may on any occasions which they may deem special but not exceeding twelve days in any one year close the pier against the public and may on such occasions charge such special rates of admission not exceeding one shilling for each person as the Company may from time to time think fit: Provided that on all such occasions the Company shall reserve a sufficient passage along the pier from the landing steps to the shore for persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary rates and without payment of any special rates so long only as they use the pier as a passage and do not remain upon it.

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Power to levy rates.

15. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by this Order have been given the Company may subject and according to the provisions of this Order for the use of the pier and works demand receive and recover in respect of persons matters and things described in the schedule to this Order any sums not exceeding the several rates in that schedule specified.

Board of Trade may reduce rates.

16. If at any time and from time to time the clear annual income derived from the pier and works on the average of the then three last preceding years (after payment of all expenses and outgoings) other than payments of interest or principal in respect of money borrowed shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended in the construction of the pier and works the Board of Trade may if in their discretion they think fit reduce the rates authorised by this Order to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum and the rates shall thereupon be reduced accordingly but with power to the Board of Trade at any time and from time to time to raise them again to sums not exceeding the amounts specified in the schedule to this Order.

Reserve fund.

17. The directors of the Company may before recommending any dividend set aside out of the profits of the Company such sum as they think proper as a reserve fund to meet contingencies or for equalising dividends or for repairing improving and maintaining any of the property of the Company and for such other purposes as the directors shall think conducive to the interests of the Company and they may invest the several sums so set aside in any of the modes in which trustees are by law authorised to invest or in any other manner directed by the Company in general meeting and may from time to time deal with and vary such investments and dispose of all or any part of the said several sums and the investments thereof in paying off any mortgage or mortgages upon property of the Company or otherwise for the benefit of the Company. The income arising from the securities upon which the reserve fund shall be from time to time invested may either be added to the reserve fund or be carried to and be deemed to form part of the general revenue of the Company.

Annual account to be sent to Board of Trade.

18. The Company within one month after sending to the Clerk of the Peace the copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade and the 16th section of The General Pier and Harbour Act (1861) Amendment Act shall apply to and include any and every such account. If the Company refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Pass tickets for use of pier.

19. The Company may grant to passengers promenaders and others pass tickets for the use of the pier and works at such rates on such terms and for such periods not exceeding one year as may be agreed upon but so that no preference be given to any person. A pass ticket shall not be transferable nor be used by any person except the person to or for whom it is granted nor by any person after the period limited for its use. If any person acts in any way in contravention of this provision or uses or attempts to use any false or counterfeit

pass ticket he shall for every such offence be liable to a penalty not exceeding twenty shillings to be recovered and applied as penalties are recoverable and applicable under The Harbours Docks and Piers Clauses Act 1847.

Powers to vary exemptions from rates and to enter into compositions &c.

20. The Company may from time to time confer vary or extinguish exemptions from and enter into compositions with any person or persons with respect to the payment of rates authorised by this Order for such periods and on such terms as they may think fit but so that no preference be in any case given to any person and that anything done under this section shall not prejudice the other provisions of this Order.

Power to lease rates.

21. The Company may from time to time lease the rates authorised by this Order for any term not exceeding seven years at the best rent to be reasonably obtained without fine and on such other terms and conditions as they think fit and the lessee shall have and may exercise during the continuance of his lease the same power of levying and recovering rates and dues as the Company have or might exercise under The Harbours Docks and Piers Clauses Act 1847 and this Order and shall be subject to all the same provisions as to accounts and otherwise to which the Company are made subject by this Order.

Certain fishing vessels under stress of weather exempt from rates.

22. Fishing vessels belonging to countries with which for the time being treaties exist exempting from dues and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom shall when forced by stress of weather to make use of the pier and works and not breaking bulk while making use thereof be exempt from rates leviable under this Order.

Exemption of certain officers from rates.

23. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress passage and egress to over and from the pier and works by land and from their vessels and otherwise without payment.

Lifeboat crew to be exempt from rates.

24. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to over and from the pier and works without payment.

Life-saving apparatus may be attached to pier.

25. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may either permanently or temporarily and from time to time without payment attach or cause to be attached to any part of the pier or works spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the pier and works.

Power to make byelaws.

26. The Company may make byelaws for the regulation and control of vessels and boats to take effect below high-water mark within one hundred yards of any part of the pier or works and also for the regulation and control of persons embarking disembarking frequenting or resorting to or employed at their pier and works and using their tramways and for protecting the pier buildings tramways and works and for protecting the property thereon and for ensuring the safety and comfort of persons frequenting and using the same and may impose and recover a penalty not exceeding forty shillings in any case for the breach or non-observance of any byelaw but such byelaws shall not come into operation

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until the same have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

Application of rates received.

27. The rates received under this Order shall be applicable for the purposes and in the order following and not otherwise:—

(1.) In paying the expense of the maintenance and repair management and regulation of the pier buildings tramways and works;

(2.) In payment year by year of the interest accruing on money borrowed by the Company;

(3.) The surplus revenue (if any) of the pier buildings tramways and works after providing for the purposes aforesaid shall belong to the Company.

Power to borrow money.

28. The Company may from time to time borrow and re-borrow on mortgage at interest on the security of the rates authorised by this Order such sums of money as they may from time to time think requisite not exceeding in the whole at any one time ten thousand pounds.

Application of money borrowed.

29. Every part of the money borrowed under this Order shall be applied only for the purposes authorised by this Order to which capital is properly applicable.

Payment of arrears of interest and principal may be enforced by appointment of a receiver.

30. If within six months after the interest on any mortgage granted by the Company has become due or after the period prescribed for the payment of the principal sum in any such mortgage has expired such interest or principal as the case may be shall not be paid the holder of such mortgage may without prejudice to any rights remedies or securities otherwise competent to or held by him apply for the appointment of a receiver as herein-after provided.

Appointment of a receiver.

31. Every application for the appointment of a receiver under the provisions of this Order shall be made to a justice of the eastern division of the county of Kent and on any such application the said justice may by order in writing after hearing the parties appoint some person as a receiver to receive the whole or a competent part of the rates authorised by this Order until all the arrears of interest or of principal and interest as the case may be then due on all the outstanding mortgages with all costs including the charges of receiving the said rates be fully paid and upon such appointment being made the rates shall be paid to and received by the receiver and so soon as the full amount of interest or of principal and interest as the case may be and costs has been so received the power of the receiver shall cease and after payment of the said costs the receiver shall distribute among all the holders of the said mortgages to whom interest or principal shall be in arrear the rates and other moneys which shall have been received by him having regard in such distribution to the priorities (if any) of such mortgages.

Amount to authorise application for receiver.

32. The amount to authorise the application for the appointment of a receiver shall be two thousand pounds in one or more mortgages.

Portions of Harbours Clauses Act excepted.

33. Sections sixteen to nineteen inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order but the Company shall at their own expense when directed by the Board of Trade provide to the satisfaction of the Board of Trade a site near the pier and build on such site a house and other proper accommodation for a lifeboat rocket apparatus and other life-saving apparatus and shall be liable to a penalty not exceeding ten pounds

for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Company to be local authority.

34. Within the limits of this Order the Company shall be a local authority within the meaning of the Merchant Shipping Act 1854 and the Acts amending the same and shall have all the powers conferred by those Acts on local authorities.

Pier to be deemed within the district of Herne Bay.

35. The pier and works shall in respect of all matters crimes or offences arising or committed thereon requiring the cognizance of any justice of the peace be deemed and taken to be within and as forming part of the district of the Herne Bay Local Board of Health and within the jurisdiction of the justices acting in and for the petty sessional division in which the said district is situate.

Vessels not to anchor within 100 yards.

36. No vessel or boat shall anchor within one hundred yards of any part of the pier or works without the consent of the Company or their piermaster.

Vessels not to moor along side pier without consent.

37. No vessel or boat except steamboats or pleasure boats embarking or disembarking passengers and their luggage shall be moored alongside the pier without the consent of the Company or their piermaster.

Goods not to be landed without consent.

38. No merchandise or goods (passengers' personal luggage excepted) shall be landed on or at the pier or lands acquired by the Company otherwise than with the consent of the Company.

Meters and weighers.

39. The Company shall have the appointment of meters and weighers within the limits of this Order.

Temporary lights on works.

40. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works; and compliance with the directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to observe any direction so given.

As to lights after completion of works.

41. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Company shall at the outer extremity of the pier and works or the completed portions thereof or in such other place or places as may be required exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that corporation for directions as to lighting and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or to observe any such direction.

Provision against danger to navigation.

42. In case of injury to or destruction or decay of the pier or works of the Company or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing as far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to that corporation for directions as to the means to be taken and the Company shall be liable to a penalty not

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exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any such direction.

Cessor of powers to construct works in case of default.

43. In the following cases (that is to say),—

(1) if within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2) if such works after having been commenced should be virtually suspended for twelve consecutive calendar months;

the powers by this Order conferred for executing such works or otherwise in relation thereto shall cease to be exercised except as to so much of such works as shall then be completed unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act 1866.

44. This Order shall not be taken as a consent to the surrender of any rights interests powers authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act 1866 nor shall any works under this Order be commenced within limits affected by any such rights interests powers authorities or privileges without the consent of the Board of Trade having been first obtained.

Saving rights of Crown.

45. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order contained prejudice or affect any property interest rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Woods or either of them.

Costs of Order

46. All costs charges and expenses of or incidental to the preparing and obtaining of this Order and otherwise incurred in reference thereto shall be paid by the Company.

Short title.

47. This Order may be cited as The Herne Bay Pier Order 1891.

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SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	s.	d.
For every vessel not exceeding the burden of fifteen tons - - per ton	0	4
For every vessel exceeding the burden of fifteen tons and under fifty tons per ton register	0	6
For every vessel of the burden of fifty tons and under one hundred tons per ton register	0	8
For every vessel of the burden of one hundred tons and under one hundred and fifty tons - - - - - - per ton register	0	10
For every vessel of the burden of one hundred and fifty tons and upwards per ton register	1	0
All lighters for each trip - - - - - - - per ton	0	6
All boats entirely open landing or taking on board goods - each	0	6

II.—Rates for Goods and Animals shipped or unshipped at the Pier.

Light goods - - - - - - - per cubic foot	0	1
Heavy goods - - - - - - - - per ton	2	0
In charging the rates on goods the gross weight or measurement of all goods to be taken and for any less weights measures and quantities than those above specified a portion of the respective rates shall be charged.		
Horses - - - - - - - - - each	1	6
Asses mules bulls cows and oxen - - - - each	1	0
Calves sheep and pigs - - - - - - each	0	3
Lambs dogs and other small animals - - - - each	0	2

III.—Rates for use of Pier.

	£	s.	d.
For every passenger or other person landing on the pier from or embarking from it on board of any ship vessel boat packet or passage-boat for each time any sum not exceeding - -	0	0	4
For every person using the pier for the purpose of walking for exercise pleasure or any other purpose except for embarking or disembarking for each time any sum not exceeding - - - -	0	0	2
For every bath or sedan-chair including driver taken on the pier for each time any sum not exceeding - - - - -	0	0	4
For every perambulator including driver taken on the pier for each time any sum not exceeding - - - - - -	0	0	4
For every person using the pier for the purpose of bathing any sum not exceeding - - - - - - -	0	0	4
For every master of any vessel boat or wherry using the said pier for the purpose of going to or returning from his own vessel boat or wherry an annual sum not exceeding - - - -	1	0	0

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IV.—RATES ON PASSENGERS' LUGGAGE LANDED OR SHIPPED OR TRANSHIPPED AT THE PIER.

	£	s.	d.
For every trunk portmanteau box parcel or other package within the description of luggage and not borne by the passenger not exceeding twenty-eight pounds	0	0	2
Over twenty-eight pounds and not exceeding eighty-four pounds	0	0	4
Over eighty-four pounds and not exceeding one hundred and twelve pounds	0	0	5
Over one hundred and twelve pounds and not exceeding one hundred and forty pounds	0	0	6
Over one hundred and forty pounds and not exceeding one hundred and ninety-six pounds	0	0	7
Over one hundred and ninety-six pounds and not exceeding two hundredweight	0	0	8
If exceeding two hundredweight for every hundredweight	0	0	4
And for every twenty-eight pounds weight in addition	0	0	1
For every four-wheeled carriage	0	4	0
For every two-wheeled carriage	0	2	6
For every bicycle or tricycle for each and every time	0	0	3

V.—RATES FOR USE OF WEIGHING MACHINES.

	£	s.	d.
For goods weighed for each ton or part of a ton	0	0	2

VI.—RATES FOR USE OF TRAMWAY.

	£	s.	d.
For every passenger using tramway for each time any sum not exceeding	0	0	3
Light goods per cubic foot	0	0	1
Heavy goods per ton	0	2	0

For passengers' luggage rates not exceeding rates on same for use of pier.

MULLION.

A.D. 1891.

Mullion.

Order for amending the Mullion Harbour and Piers Order, 1890, and for the construction, maintenance, and regulation of a Harbour, Piers, and Works at Mullion in the County of Cornwall, in the place of those authorised by the same Order.

Short title.

1. This Order shall be construed with the Mullion Harbour and Piers Order, 1890 (in this Order called the Order of 1890), as one Order, and may be cited as the Mullion Harbour and Piers Order, 1891.

Undertakers.

2. The Right Honourable Thomas Charles Baron Robartes, of Lanhydrock and Truro, his heirs, assigns, and successors in title, shall be the Undertakers for carrying this Order into execution, and shall have and may exercise the powers, privileges, and authorities conferred by this Order.

Repeal of clauses 7 and 13 to Order of 1890.

3. From and after the passing of the Act confirming this Order, clauses seven and thirteen of the Order of 1890 shall be and the same are hereby repealed.

Works to be substituted for those authorised by Order of 1890.

4. The works authorised by this Order shall be and the same are hereby substituted in the place of the works authorised by the Order of 1890.

5. The works authorised by this Order include—

Description of works.

(1.) A pier, jetty, or quay on the mainland about one hundred and fifty feet in length, commencing at the north-west corner of Mullion Cove, and extending in an easterly direction along the face of the cliff forming the northern boundary of the cove, together with a roadway at the back of the same, and an approach road thereto about seventy feet in length.

(2.) A pier about one hundred and eighty feet in length, commencing at the said north-west corner of the cove by a junction with the afore-mentioned pier, jetty, or quay, and extending in a southerly direction nearly at right angles to the said pier, jetty, or quay, which said pier, jetty, or quay and pier will include all proper approaches, embankments, roads, footpaths, sheds, toll-houses, toll-gates, buildings, sewers, drains, landing-stages, landing-places, buoys, moorings, and other works and conveniences, for the embarking and disembarking of passengers, animals, fish, goods, and merchandise of every description.

(3.) The removing by dredging, digging, excavating, or otherwise, of any rocks, sand, mud, or other materials which it may be found necessary or convenient to remove for any purpose connected with the construction of the works aforesaid.

(4.) The deepening by means of dredging, scouring, digging, and excavating, or otherwise, of the area bounded on two sides by the said pier, jetty, or quay, and the approach road thereto, and by the said pier secondly above described, and the removing of any rock, sand, mud, or other materials.

(5.) The placing of any rock, sand, mud, or other materials dredged up, dug, excavated, or otherwise removed under any powers given by this Order in the sea on the outside or western side of the said pier secondly above described as a protection against the sea.

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Mullion.

The whole of which intended works will be solid, and will be situate in the parish of Mullion, in the county of Cornwall, and on the foreshore and bed of the sea adjoining that parish.

Order of 1890 to apply to works.

6. All the provisions of the Order of 1890 shall apply to the works authorised by this Order in like manner as if such works had been the works authorised by the Order of 1890.

Limits.

7. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which the Order of 1890, as amended by this Order, and the power to levy rates under that Order, as amended by this Order, and the other provisions of the Order of 1890 extend, shall comprise the area of the harbour enclosed by the said pier, jetty, or quay, and the approach road thereto, the said pier secondly above described, an imaginary line drawn from the south end of the said pier to the point of rock forming the south-west boundary of the cove and the cliff forming the southern boundary of the cove, and a space of fifty yards seaward from every part of such pier secondly above described and imaginary line, and shall also comprise the said piers and approach road and all works to be constructed under the powers of this Order, and all roads, accesses, and conveniences connected therewith, and all land belonging to the Undertakers used in connexion with any of the works by this Order authorised or adjacent to such works for a distance of fifty yards measured from any work to which any such land is adjacent, which limits (and all additions to and improvements in the harbour works from time to time to be made by the Undertakers) are comprised in the term "the limits of this Order" in the Order of 1890 mentioned.

Certain fishing boats exempt from rates.

8. Hookers and other fishing boats not exceeding sixteen feet length of keel shall be exempt from rates leviable under the Order of 1890.

Saving rights of Crown.

9. This Order shall not be taken as a consent to the surrender of, nor shall anything in this Order prejudice or affect any property, interest, rights, powers, authorities, or privileges of Her Majesty in right of Her Crown, which are under the management of the Commissioners of Woods, or either of them.

Costs of Order.

10. All the costs, charges, and expenses of or incidental to the preparing and obtaining this Order, or otherwise incurred in reference thereto, shall be paid by the Undertakers.

PENNAN.

A.D. 1891.

Pennan.

Order for the Improvement, Maintenance, and Regulation of the Harbour of Pennan, in the Parish of Aberdour and County of Aberdeen.

Undertakers.

1. George Alexander Baird, Esquire, of Stichill and Strichen, his heirs, assigns, or others for the time being entitled to the possession or the receipt of the rents, rates, and profits of the harbour, shall be the Undertakers for carrying this Order into execution, and shall have and may exercise the powers, privileges, and authorities conferred by this Order.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Consolidation (Scotland) Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Limits of harbour.

3. The limits within which the Undertakers shall have authority, which shall be deemed the limits of the harbour, and are in this Order called the harbour, shall, for the purposes of this Order, comprise that part of the Bay of Pennan in the Moray Firth which is within the following imaginary lines (that is to say), an imaginary line commencing at a point in the parish of Aberdour two hundred and ninety yards or thereby east from the eleventh milestone on the public road from Fraserburgh to Macduff, and proceeding due north in a straight line for a distance of four hundred and eighty-three yards, and thence due east for a distance of three hundred and sixty-six yards, and thence proceeding due south for a distance of four hundred and eighty-three yards to a point six hundred and fifty-six yards or thereby east of the milestone before mentioned. The limits shall also comprise all the works by this Order authorised, and the works now existing, and the works, lands, foreshore, and sea contained within the same, together with all roads, accesses, buildings, lands, accommodation, and conveniences appertaining thereto or connected therewith respectively, and all additions to and improvements in the harbour from time to time lawfully made by the Undertakers, which said limits are herein-after termed "the limits of this Order."

Powers to take lands by agreement.

4. For the purposes of the works authorised by this Order, the Undertakers may from time to time, by agreement, enter on, take, and use all or such parts of the lands shown on the plans deposited with reference to this Order, as they may think requisite for the purposes of this Order.

Powers to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans and sections as the Board of Trade may require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands belonging to them or acquired by them under this Order, and in the lines and situation, and according to the levels and within the limits of deviation shown on the deposited plans and sections, and herein-after prescribed, make and maintain the harbour, breakwaters, piers, quays, roads, and works authorised by this Order.

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Description of works.

6. The works authorised by this Order are :—

(1.) An extension of the existing east pier, situate in the Bay of Pennan, commencing at the seaward end thereof, thence proceeding in a north-westerly direction for a length of thirteen yards or thereabouts, and terminating on the foreshore at a point eighty-seven yards or thereabouts, measuring in a north-easterly direction from the centre of the bridge over the stream or burn of Auchmedden, in the village of Pennan.

(2.) A new west pier or breakwater, commencing on the foreshore of the Bay of Pennan, at a point thirty yards or thereabouts, measuring in a north-westerly direction, from the centre of the bridge aforesaid, and proceeding thence in a north-easterly direction for a length of eighty-two yards or thereabouts to a point on the rocky foreshore one hundred and three yards or thereabouts, measuring in a north-easterly direction, from the centre of the aforesaid bridge, and thence in a south-easterly direction for a further length of nine yards or thereabouts, and terminating on the rocky foreshore at a point twenty-six yards or thereabouts, measuring in a north-westerly direction, from the north-west or seaward end of the existing pier.

The proposed extension of the existing east pier, firstly before mentioned, together with the said proposed new west pier, will be built solid throughout their whole extent.

(3.) An approach, access, or roadway to the proposed west pier secondly above described, commencing by a junction with the present roadway to the harbour at a point thereon seventeen yards or thereabouts, measuring in a westerly direction, from the centre of the bridge before mentioned, proceeding in a north-westerly direction for a length of twenty-seven yards or thereabouts, and terminating on the foreshore at the point of commencement of the new west pier secondly above described.

(4.) A diversion of the Auchmedden burn or stream before mentioned, commencing on the north side of the said bridge, proceeding in a north-westerly direction for a length of thirty-two yards or thereabouts, and terminating on the foreshore at a point thereon thirty yards or thereabouts from the said bridge, measuring in a north-westerly direction.

All which works above described will be situate in the parish of Aberdour, in the county of Aberdeen, and on the foreshore or in the bed of the sea adjacent thereto.

Power to deviate.

7. Subject to the provisions of this Order, the Undertakers may deviate laterally from the lines of the works authorised by this Order to the extent marked on the deposited plans, and may deviate vertically from the levels defined on the deposited sections to any extent not exceeding ten feet.

Improvement and maintenance of harbour and works.

8. Subject to the provisions of this Order, the Undertakers may from time to time construct, maintain, alter, and improve the harbour and works authorised by this Order, and in connexion therewith any jetties, wharves, sewers, drains, watercourses, roads, approaches, gates, and other works and conveniences, and may lay down and construct rails, tramways, turntables, and sidings on or along the quays, piers, and other works within the harbour, and may dredge, scour, deepen, widen, enlarge, alter, improve, and maintain the entrance, channels, and waterways of the harbour, and may make and maintain buoys, moorings, lights, beacons, landing-places, and other works and conveniences.

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Power to construct warehouses, &c.

9. The Undertakers may also construct and maintain, or take on lease, all warehouses, offices, sheds, weighing machines, cranes, and other works, buildings, and conveniences which may be found necessary in connexion with the piers and harbour for the accommodation of vessels and traffic landed at or embarked from the same.

Consent of Board of Trade to certain works.

10. Any works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade having been first obtained.

Penalty for obstructing works.

11. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works authorised by this Order, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or any part thereof, or who defaces or destroys the said works, or any part thereof, shall, for every such offence, be liable to a penalty not exceeding five pounds.

Power to levy rates.

12. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary for the due construction of the works authorised by this Order, have been given, the Undertakers may, subject to the provisions of this Order, for the use of the harbour, piers, quays, lights, works, and conveniences connected therewith, demand, recover, and receive in respect of vessels, boats, passengers, animals, fish, and goods, and also in respect of services rendered, described in the schedule to this Order, any sums not exceeding the several rates specified in that schedule: Provided that the Undertakers, before levying any rates for beaching boats, shall provide and shall thereafter maintain suitable accommodation for such beaching within the limits of the harbour.

Rates may be levied though works not completed.

13. When and so soon as it shall be at any time, or from time to time, certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Undertakers, that the works authorised by this Order have been so far completed as to afford accommodation for the traffic of the harbour by means of such works, the Undertakers may, notwithstanding the twenty-fifth section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, demand, receive, and recover such of the rates, or such proportion of all or any of the rates specified in the schedule to this Order, as shall, in the opinion of the Board of Trade, be commensurate with the accommodation afforded.

Masters of fishing boats to report take of fish.

14. The master or owner of every vessel or boat liable to rates shall, on arrival in the harbour, forthwith report the same to the collector of rates, and in the case of every fishing boat, shall furnish to the collector a true and accurate statement of his take of fish, and the name of every person obtaining delivery thereof, and such master or owner shall not leave the harbour without paying to the collector his rates, charges, and dues, and if he fail to do so, he shall be liable to a penalty not exceeding ten pounds.

Harbour master may prevent sailing of vessels.

15. The harbour master may prevent the removal or sailing out of the harbour of any vessel or boat in respect of which any rates or dues shall have been payable, until evidence shall have been produced to him of the payment of such rates or dues to the collector, and, in the case of a vessel or boat with a

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take or cargo of fish, until the master or owner of such vessel or boat shall have given in an account of his take or cargo of fish, as required by the last preceding section.

Power to vary exemptions from and compound for rates.

16. The Undertakers may from time to time confer, vary, or extinguish exemptions from, and compound with, any person or persons with respect to the payment of rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Rates for use of warehouses, &c.

17. The Undertakers may demand, levy, and receive such rates or other consideration as they may think reasonable for the use of any warehouses, offices, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the Undertakers, for the use of which rates are not specifically fixed in the schedule to this Order.

Ballast for vessels.

18. The Undertakers may supply and remove ballast for the accommodation of vessels within the harbour, or permit the master or owner of any vessel within the harbour to lift or convey ballast from or to any place where it may be lawfully obtained or deposited for the purpose of supplying or removing the ballast of such vessel, on payment to the Undertakers of such rates as they shall deem proper, not exceeding the rate specified in the schedule to this Order.

Board of Trade may reduce rates.

19. If at any time and from time to time the clear annual income derived from the harbour, works, and conveniences authorised by this Order, on the average of the then three last preceding years, after payment of all expenses and outgoings other than payments for interest or principal in respect of money borrowed, shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing the works by this Order authorised, the Board of Trade may, if in their discretion they think fit, on application in writing from six or more of the owners of vessels or boats using the harbour, and after hearing the Undertakers, reduce the rates leviable under this Order, or any of them, to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum, with power to the Board of Trade at any time and from time to time to raise such rates again to any amounts not exceeding those specified in the schedule to this Order.

Annual account to be sent to Board of Trade.

20. The Undertakers, within one month after sending to the sheriff's clerk a copy of their annual account in abstract (which account shall be made up to the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade, and section sixteen of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Certain fishing vessels under stress of weather exempt from rates.

21. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties or port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier or harbour, or the works belonging thereto, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of certain officers from rates.

22. The Secretary for Scotland, or any person or persons deputed by him, and officers of the Board of Trade and of the Fishery Board of Scotland, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, up to, and out of the harbour, pier, quays, and works by land, and with their vessels and otherwise, without payment.

Exemption of lifeboat crews.

23. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the harbour and works without payment.

Apparatus for saving life may be attached to piers.

24. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier, harbour, or works, spars and other apparatus for saving life, and may also, either in course of using or exercising the apparatus for saving life, fire rockets over the pier, harbour, or works.

Power to lease rates.

25. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding seven years from the date of the lease, and for such rent and consideration, and on such terms and conditions as they think fit; and the lessee shall have and may exercise, during the continuance of his lease, the same powers of levying and recovering rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the provisions as to accounts and otherwise to which the Undertakers are made subject under this Order.

Power to borrow.

26. The Undertakers may from time to time borrow and re-borrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of ten thousand pounds, on the security of the rates, dues, and charges authorised by this Order, and they may accept and take from any bank or banking company credit to such amount as they may deem expedient on a cash account to be opened and kept in the names of the Undertakers, according to the usage of bankers in Scotland, but so that the whole sum owing by the Undertakers on such cash account, and for other money borrowed and for the time being unpaid, shall not exceed in the whole the sum of ten thousand pounds, exclusive of interest, and may assign the rates, dues, and charges hereby authorised in security for the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively.

Application of money borrowed.

27. Every part of the money borrowed under this Order shall be applied only for the purposes authorised by this Order, to which capital money is properly applicable.

Recovery of arrears of interest or principal.

28. If within two months after the interest upon any sum borrowed by the Undertakers has become due, or after the period prescribed for the payment of the principal sum has expired, such interest or principal, as the case may be, shall not be paid, the party or parties entitled to such interest or principal

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respectively may, without prejudice to any rights, remedies, or securities otherwise open to or held by him or them, apply for the appointment of a judicial factor, as herein-after provided.

Appointment of a judicial factor.

29. Every application for the appointment of a judicial factor under this Order shall be made to the sheriff of the county of Aberdeen, or his substitute, and on any such application the sheriff or his substitute may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order, until the arrears of interest or principal, as the case may be, then due, together with all costs, including the charges of receiving the said rates, be fully paid; and upon such appointment being made, all such rates as aforesaid shall be paid to and received by the judicial factor so appointed, and the money so received shall be so much money received by or to the use of the party or parties represented by such judicial factor; and so soon as the full amount of interest or of principal, or of principal and interest, as the case may be, in arrear, and costs, has been so received, the power of the judicial factor shall cease; and after payment of such costs, the judicial factor shall distribute among all the parties represented by him, if more than one, the rates and other moneys which shall have been received by him, having regard in such distribution to any rights of priority existing in respect of the interest or principal thus recovered.

Amount to authorise application for a judicial factor.

30. The amount of arrears necessary to authorise the application for a judicial factor shall be not less than one thousand pounds.

Application of moneys.

31. The rates, dues, and charges received under this Order shall be applied for the purposes and in the order following (that is to say):—

(1.) In paying the costs, charges, and expenses of or connected with the preparation, obtaining, and making of this Order, or otherwise in relation thereto.

(2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the harbour, and of the works now existing, and the works authorised by this Order.

(3.) In paying year by year the interest and any instalments of principal due in respect of money borrowed under this Order.

(4.) In paying the expense of the execution, maintenance, repair, and purchase of such other works, buildings, sheds, warehouses, wharves, jetties, tugs, dredgers, hydraulic machinery, cranes, engines, and conveniences, as may from time to time be necessary for the purposes of the harbour, or the accommodation of the shipping resorting thereto.

(5.) The surplus revenue (if any) of the harbour, works, and conveniences, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

Sections of Harbours Clauses Act excepted.

32. Sections sixteen to nineteen inclusive of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall at their own expense, when required by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to

provide such accommodation, after having been required so to do by the Board of Trade.

Partial incorporation of Harbours and Passing Tolls Act, 1861.

33. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall be incorporated with this Order.

Power to Undertakers to purchase or hire dredgers, &c.

34. The Undertakers may for the purposes of the works existing or authorised by this Order, or any of them, from time to time provide, purchase, lease, or hire such steam or other dredgers, engines, tugs, lighters, or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials and machinery as they think fit, and may from time to time demand and receive such sums for the use of the same as they may think fit, or may sell or dispose of the same, and the money thereby realised shall be applied towards carrying into effect the purposes of this Order, or some of them.

Meters and weighers.

35. The Undertakers shall have the appointment of meters and weighers within the harbour.

Byelaws.

36. The Undertakers may make byelaws for the regulation and control of vessels and boats within the harbour, and for the regulation and control of the fishermen and other persons and goods, ballast and traffic in and at the harbour and works, ground and property belonging to the Undertakers and used for harbour purposes, but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade, which shall be sufficient for all purposes.

Temporary lights on works.

37. Before commencing the works authorised by this Order, the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works; and compliance with the directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any direction so given.

As to lights after completion of works.

38. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the pier and works, or the completed portions thereof, or in such other place or places as may be required, exhibit for all or any part of the time from sunset to sunrise, and according to the requirements of the traffic and the season of the year, such light or lights (if any) as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those commissioners for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any such direction.

Provision against danger to navigation.

39. In case of injury to or destruction or decay of the pier or works of the Undertakers, or any part thereof, the Undertakers shall lay down such buoys, exhibit such lights, or take such other means for preventing, as far as may be, danger to navigation, as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those commissioners for directions as to the means to be taken, and the Undertakers shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply, or refuse or neglect to observe any such direction.

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Cessor of powers to construct works in case of default.

40. In the following cases (that is to say),—

(1) if within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2) if such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months;

the powers by this Order conferred for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall then be completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act, 1866.

41. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under this Order be commenced within the limits affected by any such rights, interests, powers, authorities, or privileges, without the assent of the Board of Trade having been first obtained.

Providing for purchase rights of salmon fishery.

42. The Undertakers shall (if and when required so to do by the Commissioners of Her Majesty's Woods, Forests, and Land Revenues, or one of such Commissioners) purchase and acquire all rights of salmon fishery or salmon fishing belonging to the Crown, or to any lessee under the Crown, in front or *ex adverso* of the land on the coast between the rocks called the Briggs, opposite Pennan Lodge, and the rocks called Williams Stones, near Pennan Head; and in case the Undertakers and the said Commissioners or Commissioner do not within three calendar months after the date of the notice or letter requiring the Undertakers to purchase and acquire the said rights agree as to the amount of the purchase money to be paid by the Undertakers for such rights, the amount of such purchase money shall be settled by an arbitrator to be appointed by the Lord President for the time being of the Court of Session by writing under his hand, and any writing under the hand of such arbitrator shall be conclusive evidence of the amount of such purchase money, and the charges and expenses of such arbitrator shall be paid by the Undertakers; and before commencing any work the Undertakers shall give notice to the said Commissioners or Commissioner, and if and when required so to do shall join the said Commissioners or Commissioner in making application to the Lord President of the Court of Session to appoint an arbitrator.

Costs of Order.

43. All costs, charges, and expenses of or incident to the preparation and obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Undertakers.

Short title.

44. This Order may be cited as the Pennan Harbour Order, 1891.

The SCHEDULE to which the foregoing Order refers.

I.

Tonnage Duties.

	£	*s.*	*d.*
For all vessels whatever entering the harbour to load or unload per registered ton	0	0	4
For every pleasure yacht entering the harbour, not carrying goods or passengers for hire	0	0	3
For all vessels wind-bound, and not loading or unloading, per registered ton	0	0	2
For all vessels laid up to winter, for each month or part of a month. (Vessels not going to sea within one month after arrival to be considered laid up) per registered ton	0	0	3

II.

Duties for Boats, exclusive of their Cargoes.

	£	*s.*	*d.*
Every boat engaged in the herring fishery as a composition in full of tonnage duty for the period of the fishing season, payable in advance	1	5	0
Every boat loading or discharging herrings, not paying the aforesaid composition, shall, on each occasion of entering the harbour, pay each	0	2	6
And when wind-bound each	0	1	3
Other boats, except white fishing boats, not exceeding 15 tons register, if loading or discharging each	0	2	6
If wind-bound each	0	1	6
Other boats, except white fishing boats, above 15 tons register to be charged according to tonnage dues for vessels as above.			
Each white fishing boat, for season commencing 1st October, and payable annually in advance—			
If manned by not less than four hands	0	15	0
If manned by less than four hands	0	7	6
For every large herring or white fishing boat, or other boat above 30 tons register, beached for the season	0	15	0
Every small herring or white fishing boat, or other boat under 30 tons register, beached for the season	0	7	6

III.

Rates on Articles of Import and Export by Boats or Vessels.

Ale and beer of all kinds	per 50 gallons	0	1	0
Alkali	per ton	0	0	8

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	£	*s.*	*d.*
Anchors - - - - - - - per cwt.	0	0	9
Ashes, all kinds - - - - - - per ton	0	1	0
Bacon or hams - - - - - - per cwt.	0	0	3
Ballast - - - - - - - per ton	0	0	6
Bark - - - - - - - - per ton	0	2	0
Barrels, empty - - - - - - each	0	0	2
Barley (see Corn) :—			
Shelled or pearl ditto - - - - per cwt.	0	0	2
Bedding - - - - - - - per cwt.	0	0	3
Beef or pork - - - - - - per two cwts.	0	0	3
Biscuits or bread - - - - - - per cwt.	0	0	3
Blubber - - - - - - per 252 gallons	0	3	0
Bones of cattle - - - - - - per ton	0	1	0
Bone dust - - - - - - per 40 bushels	0	1	0
Bottles of green or common glass, not less than pints - per gross	0	0	4
Bottles broken - - - - - - per ton	0	0	6
Bran - - - - - - - per quarter	0	0	2
Bricks - - - - - - - per 1,000	0	1	0
Butter - - - - - - - per cwt.	0	0	3
Cables, iron or hempen - - - - - per ton	0	3	0
Candles - - - - - - - per cwt.	0	0	2
Canvas - - - - - - - per 56 lbs.	0	0	1
Carrots - - - - - - - per ton	0	0	6
Casks, empty, of 84 gallons capacity, not being returned packages each	0	0	6
Other casks in proportion.			
Cattle, viz. :—			
Bulls, cows, and oxen - - - - - each	0	1	0
Calves - - - - - - - each	0	0	6
Horses - - - - - - - each	0	2	0
Pigs - - - - - - - each	0	0	6
Sheep - - - - - - - each	0	0	3
Lambs - - - - - - - each	0	0	2
Cement - - - - - - - per ton	0	1	0
Chalk - - - - - - - per ton	0	0	6
Cheese - - - - - - - per cwt.	0	0	2
Chimney cans - - - - - - per 100	0	2	8
Clay fire, manufactured - - - - - per ton	0	1	0
Clay, common - - - - - - per ton	0	0	2
Cloth, haberdashery, &c. - - - per five cubic feet	0	0	2
Coaches, &c. :—			
Chaises and other four-wheeled carriages - - each	0	7	6
Gigs, carts, and other two-wheeled carriages - - each	0	5	0
Hand carts and perambulators - - - - -	0	1	0
Coals - - - - - - - per ton	0	0	6
Copper - - - - - - - per ton	0	3	0
Cordage - - - - - - - per ton	0	3	0
Corks - - - - - - - per five cubic feet	0	0	4

	£	s.	d.
Corn, viz.:—			
Barley, beans, Indian corn, malt, oats, peas, rye and wheat - - - - - per quarter	0	0	3
Cinders and charcoal - - - - - per ton	0	0	6
Crabs - - - - - - - per doz.	0	0	1
Crystal - - - - - - per 2 cwt.	0	0	2
Cutch - - - - - - - per ton	0	3	4
Dogs - - - - - - - each	0	0	6
Dissolved bones - - - - - - per ton	0	1	0
Drugs - - - - - - - per 2 cwt.	0	0	3
Earthenware - - - - - per 2 cwt.	0	0	4
Eggs - - - - - per 5 cubic feet	0	0	4
Felt - - - - - - - per ton	0	2	6
Flax - - - - - - - per cwt.	0	0	2
Flour - - - - - - - per 280 lbs.	0	0	4
Fish, viz.:—			
Salted - - - - - per 26 gallons	0	0	3
Dried - - - - - - per cwt.	0	0	3
Fresh haddocks, cod, ling, and all not enumerated - per cwt.	0	0	1
Salmon - - - - - per cwt.	0	0	6
Herrings—Imported fresh - - - per 37½ gallons	0	0	3
,, —Exported cured - - - per 26⅔ gallons	0	0	2
,, —Cured, upon which dues have been charged on landing them fresh at this harbour - per 26⅔ gallons	0	0	1
,, —Red or smoked - - - - per cwt.	0	0	1
Fruits of all kinds other than dried - - per bushel	0	0	3
Game - - - - - per score of all kinds	0	3	0
Glass - - - - - per 2 cwt.	0	0	3
Groceries, viz.:—			
Coffee, confections, dried fruits, molasses, spices, rice, snuff, &c. - - - - - - per cwt.	0	0	4
Guano - - - - - - per ton	0	1	0
Gunpowder - - - - - - - per 100 lbs.	0	0	3
Hams, bacon, and tongues - - - - per cwt.	0	0	4
Hay - - - - - - - per ton	0	2	0
Hardware - - - - - - per ton	0	2	6
Hemp, rough - - - - - - per ton.	0	3	0
Hides - - - - - - - per cwt.	0	0	4
Hoops:—			
Hoops of wood, all of the size of 84 gallon cask hoops, and under per 1,200	0	0	9
All above - - - - - - per 1,200	0	1	0
Iron - - - - - - - per cwt.	0	0	2
Household furniture - - - - per 5 cubic feet	0	0	4
Husbandry utensils - - - - - per 2 cwt.	0	0	4
Iron, viz.:—			
Bar, bolt, and rod, plate, sheet and forged; iron grates, stoves, and other ironmongery and rails - - per cwt.	0	0	2
Hoop, *see* Hoops.			

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	£	*s.*	*d.*
Iron—			
Old iron - - - - - per cwt.	0	0	1
Old or broken cast iron - - - - per cwt.	0	0	½
Kelp - - - - - - per cwt.	0	0	1
Lard - - - - - - - per cwt.	0	0	2
Lead - - - - - - - per cwt.	0	0	2
Leather, tanned and dressed - - - - per cwt.	0	0	6
Lime - - - - - per 16 gallons	0	0	1
Limestone - - - - - - per ton	0	1	0
Lobsters - - - - - per dozen	0	0	2
Loam or moulding sand - - - - - per ton	0	0	6
Machinery - - - - - per ton	0	2	6
„ - - - - - - per 5 cubic feet	0	0	6
Manures, not enumerated - - - - - per ton	0	1	0
Masts - - - - - - per cwt.	0	0	1
Meal - - - - - - - per 140 lbs.	0	0	2
Meat, fresh - - - - - per cwt.	0	0	6
Milk - - - - - - - per gallon	0	0	½
Musical instruments - - - - per cubic foot	0	0	1
Oakum - - - - - - per cwt.	0	0	2
Oil - - - - - - - per ton	0	3	0
Oil-cake - - - - - - per ton	0	3	0
Oranges and lemons - - - - - per cwt.	0	0	6
Oysters - - - - - - per cwt.	0	0	4
Paint - - - - - - - per cwt.	0	0	4
Passengers' luggage, not exceeding 8 cwt., free.			
All above 8 cwt. - - - - - per 2 cwt.	0	0	6
Pipes :—			
Spigot and faucet, glazed - - - - per ton	0	1	0
Pipes or tiles for draining - - - per 1,000	0	1	0
Pitch - - - - - - - per cwt.	0	0	2
Potatoes - - - - - - per ton	0	0	6
Peats - - - - - - - per 500	0	0	1
Poultry - - - - - - each	0	0	1
Rabbits - - - - - - per dozen	0	0	4
Rags and old rope - - - - - per ton	0	2	0
Ropes of all kinds - - - - - per ton	0	2	6
Rosin - - - - - - per ton	0	2	6
Salmon - - - - - - per 2 cwt.	0	0	4
Sails - - - - - - - per cwt.	0	0	6
Salt - - - - - - per 40 bushels	0	1	0
Saltpetre - - - - - - per ton	0	3	0
Sand - - - - - - per ton	0	1	0
Seed, viz. :—			
Flax and rape - - - - - per 52½ gallons	0	0	9
Flax and rape - - - - - per 32 gallons	0	0	4½
Clover - - - - - - per 300 cwt.	0	0	6
Garden seeds - - - - - per 2 cwt.	0	0	6

	£	s.	d.
Seed—			
Hemp and canary - - - - - per 2 cwt.	0	0	3
Rye grass - - - - - per quarter	0	0	3
Sheepskins, with wool - - - - per cwt.	0	0	3
Shellfish, other than specified - - - - - per cwt.	0	0	2
Slates, viz.:—			
Under size - - - - - - per 1,000	0	1	0
Sizeable - - - - - per 1,000	0	2	0
Over size - - - - - - per 1,000	0	3	0
Spirits - - - - - per 50 gallons	0	0	9
Staves—Herring barrel staves - - per 1,000 super. feet	0	1	0
Stones, viz.:			
Rubble - - - - - - - per ton	0	0	2
Hewn ashlar - - - - - - per ton	0	0	9
Rough ashlar - - - - - - per ton	0	0	6
Large stones - - - - - - per ton	0	0	6
Causeway stones, dressed - - - - per ton	0	0	3
Pavement - - - - - - per ton	0	0	6
Kerb - - - - - - - per ton	0	0	6
Gravestones - - - - - - each	0	3	0
Scythe stones - - - - per score	0	0	0½
Grindstones - - - - - - each	0	0	6
Millstones - - - - - each	0	3	0
Steel - - - - - - - - per ton	0	2	8
Sugar - - - - - - - per ton	0	2	8
Tallow and soap, - - - - - per cwt.	0	0	2
Tar - - - - - per 25 gallons	0	0	4
Tares - - - - - - per quarter	0	0	2
Tea - - - - - - - per 115 lbs.	0	0	6
Tiles - - - - - - - - per 1,000	0	1	6
Tin, of all kinds - - - - - - per ton	0	3	0
Tobacco - - - - - - per ton	0	5	0
Tow - - - - - - - per cwt.	0	0	2
Treenails, 2 feet in length and under - - - per 1,000	0	1	0
Treenails, exceeding 2 feet in length - - - per 1,000	0	2	0
Turnips - - - - - - - per ton	0	0	6
Turpentine - - - - - per 52½ gallons	0	1	4
Varnish - - - - - - - - per cwt.	0	0	1
Vegetables - - - - - - per 10 cwt.	0	0	4
Vinegar - - - - - - per 52½ gallons	0	1	0
Vitriol - - - - - - per 3½ gallons	0	0	4
Whalebone - - - - - - per ton	0	5	0
Wheels, coach or cart - - - - - per pair	0	0	9
Wine - - - - - - - per 43 gallons	0	1	4
Do. bottled - - - - per 5 cubic feet	0	0	8
Wood of all kinds - - - - - - per 1*l.* value	0	0	6

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		£	*s.*	*d.*
Wool - - - - -	per cwt.	0	0	6
Yarn - - - - - - -	per ton	0	2	8
Zinc - - - - - - -	per ton	0	2	8

ALL OTHER GOODS NOT PARTICULARLY ENUMERATED IN THE ABOVE TABLE.

		£	*s.*	*d.*
Light goods - - - -	per 5 cubic feet or 2 cwt.	0	0	4
Heavy goods - - - - - -	per ton	0	2	6

NOTES WITH REFERENCE TO THE FOREGOING.

1. All empty boxes, barrels, sacks, and packages returned to the original shipper within three months from the date of import are exempted.

2. All goods landed from any vessel and reshipped in the same or another vessel in the original packages, and without being transferred from the lander, or if the said goods have been put into other packages from the original packages having been destroyed or damaged, shall only pay duties on landing, and may be reshipped in the same or another vessel upon her departure without paying duties again.

3. If any goods for which rates shall have been paid when loaded shall from any accident or otherwise be unloaded, no rates shall be charged a second time for such goods on being reloaded.

4. Goods of all descriptions rated by weight shall be charged according to gross weight; fractional parts of any weight, measure, number, or value shall be charged proportionally, and the minimum charge for a single package shall be one penny.

RATES FOR THE USE OF SHEDS, CRANES, AND WEIGHING MACHINES.

1.—*Sheds.*

For each ton of goods which shall remain in any shed or on the pier for a longer time than 48 hours, the sum of 3*d.*; and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 48 hours.

2.—*Cranes.*

	£	*s.*	*d.*
All goods or packages not exceeding one ton - - -	0	0	3
Exceeding one ton and not exceeding two tons - -	0	0	4
Exceeding two tons and not exceeding three tons - -	0	0	6
Exceeding three tons and not exceeding four tons - -	0	0	8
Exceeding four tons and not exceeding five tons - -	0	0	10
Exceeding five tons and not exceeding six tons - -	0	1	0
Exceeding six tons and not exceeding seven tons - -	0	1	2
Exceeding seven tons and not exceeding eight tons - -	0	1	4
Exceeding eight tons and not exceeding nine tons - -	0	1	8
Exceeding nine tons and not exceeding ten tons - -	0	2	0
Exceeding ten tons - - - - -	0	3	0

3.—*Weighing Machines.*

	£	s.	d.
For potatoes and coals, each ton or part of a ton - - -	0	0	4
Goods in quantities of 20 tons and upwards of same cargo per ton -	0	0	3
Other goods per ton or part of a ton - - - -	0	0	6

Warps or Planks.

Harbour warps: All vessels requiring the use of warps per registered ton - - - - - -	0	0	0¼
All vessels requiring the use of planks - - for each plank	0	1	0

Water Money.

For each 100 gallons or part thereof supplied - - -	0	0	6

Harbour Lights.

For all vessels - - - - per registered ton	0	0	0½
For herring boats for the season - - - - each	0	1	0

But dues for lights shall only be demanded and received so long as a light or lights are duly exhibited during the proper hours, and money paid for light dues may be recovered back if a light or lights are not maintained during the period for which the payment is made.

Rates for Passengers.

For every passenger disembarking from any vessel entering the harbour - - - - - -	0	0	2

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SCARBOROUGH.

Scarborough.

Order for amending the Scarborough Promenade Pier Order 1866 *and for the Construction and Maintenance of Additions to the Promenade Pier and Works at Scarborough in the North Riding of the County of York.*

Short title.

1. This Order may be cited as the Scarborough Promenade Pier Order 1891 and this Order together with the Scarborough Promenade Pier Order 1866 (in this Order called the Order of 1866) shall be read and construed as one Order and may be cited together as the Scarborough Promenade Pier Orders 1866 and 1891.

Undertakers.

2. The Scarborough Promenade Pier Company (Limited) (in this Order called the Company) shall be the Undertakers for carrying this Order into execution.

Incorporation of Acts.

3. The Lands Clauses Acts except so much thereof as relates to the purchase and taking of lands otherwise than by agreement are hereby incorporated with this Order.

Limits.

4. The limits to which the Order of 1866 and the power to levy rates under that Order and the other provisions of that Order extend shall comprise the works authorised by this Order.

Power to take land by agreement.

5. For the purposes of the works authorised by this Order the Company may from time to time by agreement enter upon take and use all or such parts of the lands shown on the plans deposited with reference to this Order as the Company think requisite for the purposes of this Order.

Power to execute works.

6. Subject to the provisions of this Order and subject also to such alterations (if any) in the plans and sections deposited with reference to this Order as the Board of Trade may from time to time require before the completion of the works in order to prevent injury to navigation the Company may in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections (so far as the same are shown thereon) construct with open ironwork and maintain the works authorised by this Order.

Description of works.

7. The works authorised by this Order comprise the following:—

An extension seaward of the present pier head commencing at the eastern face thereof and terminating at a line fifteen feet therefrom;

A widening of the wing of the present pier to the extent of thirty feet on the north side thereof and a widening of the wing of the present pier to the extent of thirty feet on the south side thereof each of such widenings to commence at a point eight hundred and fifty feet from the shore end of the present pier and to extend seaward for a length of one hundred and fifty feet and to terminate at a point one thousand feet from the shore end of the pier.

A further widening of twelve feet on the south side of the southern wing of the present pier (so as to form a landing-stage) such further widening to be of the length of one hundred and fifty feet and to commence at a point eight hundred and fifty feet from the shore end of the pier and terminate at a point one thousand feet from the shore end of the pier.

Power to provide cranes &c.

8. The Company may provide all necessary or proper cranes buoys moorings engines accumulators apparatus hawsers and other works for use in connexion with the pier and works.

Power to deviate.

9. The Company in constructing the works authorised by this Order may alter and deviate the same to any extent laterally within the limits of deviation and vertically not exceeding five feet but in any case only with the approval in writing of the Board of Trade first obtained.

Works to be part of the pier.

10. Subject to the provisions of this Order the works by this Order authorised shall be deemed part of the pier undertaking of the Company and they may demand take and recover any rates rents and charges in respect of the use thereof not exceeding the sums authorised by the Order of 1866 as amended by this Order.

Penalty for obstructing works.

11. Every person who wilfully obstructs any person acting under the authority of the Company in setting out the lines of the works by this Order authorised or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of such works or defaces or destroys such works or any part thereof shall for every such offence be liable to a penalty not exceeding five pounds.

Reduction of rates.

12. The rates authorised by the schedule to the Order of 1866 shall from and after the 1st day of September 1891 be reduced as follows that is to say—

The rate for each passenger landing or embarking to be fourpence instead of sixpence.

The rate for each bath or sedan chair to be fourpence instead of sixpence and no further charge is to be made for the driver or person in charge.

No charge to be made for the driver or a person in charge of a perambulator.

The words "being an inhabitant of town of Scarborough" are to be deemed cancelled and omitted from the schedule and the rate payable by a master of a vessel boat or wherry shall be payable by all such masters alike.

Board of Trade may reduce rates.

13. If at any time and from time to time it appears to the Board of Trade that the clear annual income derived from the whole pier and works of the Company on the average of the then three last preceding years after payment of all expenses and outgoings other than payments for interest or instalments of principal in respect of moneys borrowed shall exceed interest at the rate of ten per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended in executing the works authorised by this Order and the Order of 1866 the Board of Trade may if in their discretion they think fit reduce the rates leviable under this Order and the Order of 1866 to such amounts as will be sufficient to provide the aforesaid interest at the rate of ten per centum per annum and the rates shall thereupon be reduced accordingly but the Company may with the consent of the Board of Trade at any time and from time to time raise them again to not exceeding the sums authorised by the Order of 1866 as amended by this Order.

Annual account to be sent to Board of Trade.

14. The Company within one month after sending to the clerk of the peace for the north riding of the county of York the copy of their annual account in abstract (which account shall be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade and section sixteen of the General Pier and Harbour Act 1861 Amendment Act shall apply to and include any and every such account. If the Com-

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pany refuse or neglect to comply with this provision they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Board of Trade officers.

15. Officers of the Board of Trade being in the execution of their duty shall at all times have free ingress to and passage and egress on along through and out of the pier and works by land and with their vessels and otherwise without payment.

Lifeboat crew exempt from rates.

16. All persons going to or returning from any lifeboat or using any apparatus for saving life and being persons either belonging to the crew of the lifeboat or to the coastguard or being persons for the time being actually employed in saving life or in exercising or using the lifeboat or the apparatus for saving life and also all persons brought ashore from any vessel in distress shall at all times have free ingress passage and egress to in through out of and from the pier without payment.

Life-saving apparatus may be attached to any part of pier.

17. The officers of the coastguard and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life may either permanently or temporarily and from time to time without payment attach or cause to be attached to any part of the pier spars and other apparatus for saving life and may also either in course of using or of exercising the apparatus for saving life fire rockets over the harbour.

Portions of Harbours Clauses Act excepted.

18. Sections sixteen to nineteen inclusive of the Harbours Docks and Piers Clauses Act 1847 shall not be incorporated with this Order.

Power to take charges for use of pavilion.

19. The Company may demand and take reasonable charges for the use of the existing pavilion or any enlarged or altered pavilion and the accommodation afforded therein respectively.

Power to close pier on special occasions &c.

20. The Company may on any special occasions but not exceeding twelve days in any one year close the pier against the public and may on such occasions charge such special rates of admission not exceeding one shilling for each person as the Company may from time to time think fit.

Provided that on all such occasions the Company shall reserve a sufficient passage along the pier from the landing steps to the shore for persons landing or embarking at the pier such reserved passage to be open for use by such persons at the ordinary rates and without payment of any special rates so long as they use the pier as a passage and do not remain thereon.

Restriction and use of pier.

21. Nothing in this Order or the Order of 1866 shall entitle any person with any vessel or boat to ship or unship at any pier jetty or landing-place authorised by this Order any sheep cattle or merchandise or to ship or unship there anything which in the judgment of the Undertakers might in any way interfere with the use of the piers jetties or passengers landing-places for recreation or for embarking or landing passengers.

Power to make byelaws.

22. The Company may from time to time make byelaws for the regulation and control of persons using the pier or pavilion and in regard to the traffic on and at the pier and pavilion respectively but such byelaws shall not come into operation until the same have received the allowance and confirmation of the Board of Trade which shall be sufficient for all purposes.

As to lights during construction of works.

23. Before commencing the works authorised by this Order the Company shall apply to the Board of Trade for directions as to the lights to be exhibited and shall in all respects obey any direction given upon such application or afterwards from time to time given as to lights by the Board of Trade during the construction of the works and compliance with the directions so given shall satisfy

and be in place of every other statutory requirement as to lights during the construction of the works and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to observe any direction so given.

As to lights after completion of works.

24. After completion or permanent discontinuance or abandonment of the works authorised by this Order the Company shall at the outer extremity of the pier and works or the completed portions thereof exhibit for all or any part of the time from sunset to sunrise and according to the requirements of the traffic and the season of the year such light or lights as shall from time to time be directed by the Trinity House Deptford Strond and shall apply to that corporation for directions as to lighting and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or to obey any direction so given.

Provision against danger to navigation.

25. In case of injury to or destruction or decay of the pier or works or any part thereof the Company shall lay down such buoys exhibit such lights or take such other means for preventing so far as may be danger to navigation as shall from time to time be directed by the Corporation of Trinity House Deptford Strond and shall apply to the said corporation for directions as to the means to be taken and the Company shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction so given.

Powers to cease in certain cases.

26. In the following cases (that is to say)—

(1) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced or

(2) If such works after having been commenced should be virtually suspended for twelve consecutive calendar months

the powers by this Order given for executing such works or otherwise in relation thereto shall cease except as to so much of such works as shall be then completed unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced or that they have been virtually suspended for twelve consecutive calendar months shall for the purposes of this Order be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act 1866.

27. This Order shall not be taken as a consent to the surrender of any rights interests powers authorities or privileges transferred to the management of the Board of Trade by the Crown Lands Act 1866 nor shall any works under this Order be commenced within limits affected by any such rights interests powers authorities or privileges without the assent of the Board of Trade having been first obtained.

Saving rights of Crown.

28. This Order shall not be taken as a consent to the surrender of nor shall anything in this Order prejudice or affect any property interest rights powers authorities or privileges of Her Majesty in right of Her Crown which are under the management of the Commissioners of Woods or either of them.

Costs of Order.

29. All costs charges and expenses of or incident to the preparation and obtaining of this Order or otherwise in relation thereto shall be paid by the Company.

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Order for the Construction, Maintenance, and Regulation of a Pier on the Western Shore of Uig Bay, situate in the Isle of Skye and in the Parish of Snizort and County of Inverness.

Undertakers.

1. George Alexander Baird, Esq., his heirs, assigns, or others the persons for the time being entitled to the receipt of the rents, rates, and profits of the pier and works authorised by this Order, shall be the Undertakers for carrying this Order into execution, and shall have and may exercise the powers, privileges, and authorities conferred by this Order.

Incorporation of Lands Clauses Acts.

2. The Lands Clauses Consolidation (Scotland) Acts, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860, except so much thereof respectively as relates to the purchase and taking of lands otherwise than by agreement, are hereby incorporated with this Order.

Limits of harbour.

3. The limits within which the Undertakers shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the pier by this Order authorised, and the works, lands, foreshore, and sea contained within the same, together with all works, roads, accesses, buildings, lands, accommodation, and conveniences appertaining thereto or connected therewith respectively, and all additions and improvements from time to time lawfully made by the Undertakers, and also the area below high-water mark comprised within a distance of 100 yards from any part of the said pier, which limits are in this Order termed "the limits of this Order."

Powers to take lands by agreement.

4. For the purposes of the works authorised by this Order, the Undertakers may from time to time, by agreement, enter on, take, and use all or such parts of the lands and premises shown on the plans deposited with reference to this Order as they may think requisite for the purposes of this Order.

Powers to make works.

5. Subject to the provisions of this Order, and subject also to such alterations (if any) in the deposited plans and sections as the Board of Trade may require from time to time before the completion of the works, in order to prevent injury to navigation, the Undertakers may, on the lands belonging to them or acquired by them under this Order, and in the lines and according to the levels and within the limits of deviation shown on the deposited plans and sections and herein-after prescribed, make and maintain the works authorised by this Order.

Description of works.

6. The works authorised by this Order include—

A pier on the western shore of Uig Bay, in the Island of Skye, commencing at a point on the shore next high-water mark, situate 325 yards or thereabouts in a south-westerly direction from the root of the boat pier, situated on the west side of the Uig Bay, and extending thence for a distance of 360 yards or thereabouts in a south-easterly direction, and there terminating with a cross-head, extending 24 yards or thereabouts in a south-westerly direction from the above-mentioned point of termination of the said pier, and there terminating; such pier to be in the first instance of open work, and from time to time thereafter, if practicable, but subject to the provisions of the

General Pier and Harbour Act, 1861, Amendment Act, to be filled up solid in whole or in part;

which pier and cross-head and other works and conveniences will be situate in the Island of Skye, in the parish of Snizort and county of Inverness, or on the foreshore, or in the sea and bed thereof adjacent thereto.

Power to deviate.

7. Subject to the provisions of this Order, the Undertakers may deviate laterally from the lines of the works authorised by this Order to the extent marked on the deposited plans, and may deviate vertically from the levels defined on the deposited sections to any extent not exceeding 10 feet.

Improvement and maintenance of harbour and works.

8. Subject to the provisions of this Order, the Undertakers may from time to time construct, maintain, alter, and improve the pier authorised by this Order, and in connexion therewith may construct, maintain, alter, and improve any jetties, wharves, sewers, drains, watercourses, roads and approaches, and may lay down and construct rails, tramways and sidings on or along the said pier and other works, and may dredge, scour, deepen, widen, enlarge, improve and maintain the sea approaches, waterways and channels of the harbour, and may make and maintain buoys, moorings, lights, beacons, landing places, and other works and conveniences.

Power to construct warehouses, &c.

9. The Undertakers may also construct and maintain, or take on lease all warehouses, offices, sheds, weighing machines, cranes, and other works, buildings, and conveniences which may be found necessary in connexion with the said pier and works for the accommodation of vessels and traffic landed at or embarked from the same.

Consent of Board of Trade to certain works.

10. Any works authorised by this Order below high-water mark shall not be commenced without the consent in writing of the Board of Trade having been first obtained.

Penalty for obstructing works.

11. Every person who wilfully obstructs any person acting under the authority of the Undertakers in setting out the lines of the works authorised by this Order, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or any part thereof, or who defaces or destroys the said works, or any part thereof, shall, for every such offence, be liable to a penalty not exceeding 5*l.*

Power to levy rates.

12. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order, or otherwise necessary for the due construction of the works authorised by this Order have been given, the Undertakers may, subject to the provisions of this Order, for the use of the piers, lights, works, and conveniences connected therewith, demand, recover, and receive in respect of vessels, boats, passengers, animals, fish, and generally all imported or exported goods, and also in respect of services rendered, described in the schedule to this Order, any sums not exceeding the several rates specified in that schedule. Provided that before levying any of the rates for beaching boats mentioned in Part II. of the said schedule, the Undertakers shall provide to the satisfaction of the Board of Trade suitable accommodation for such beaching within the limits of this Order.

Rates may be levied though works not completed.

13. When and so soon as it shall be at any time, or from time to time, certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade and paid by the Undertakers, that the works authorised by

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this Order have been so far completed as to afford increased accommodation for traffic by means of such works, or that as regards the rates specified in Part III. of the schedule to this Order a portion of the pier has been filled in sufficient to afford increased refuge and shelter for vessels entering the harbour, the Undertakers may, notwithstanding the 25th section of the Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, demand, receive, and recover such of the rates, or such proportion of all or any of the rates specified in the schedule to this Order as shall, in the opinion of the Board of Trade, be commensurate with the accommodation afforded.

Masters of fishing boats to report take of fish.

14. The master or owner of every vessel or boat liable to rates shall, on arrival forthwith report the same to the collector of rates, and in the case of every fishing boat shall furnish to the collector a true and accurate statement of his take of fish, and the name of every person obtaining delivery thereof, and such master or owner shall not leave without paying to the collector his rates, charges, and dues, and if he fail to do so he shall be liable to a penalty not exceeding 10*l*.

Harbour master may prevent sailing of vessels.

15. The pier master may prevent the removal or sailing of any vessel or boat in respect of which any rates or dues shall have been payable, until evidence shall have been produced to him of the payment of such rates or dues to the collector, and in the case of a vessel or boat with a take or cargo of fish, until the master or owner of such vessel or boat shall have given in an account of his take or cargo of fish, as required by the last preceding section.

Power to vary exemptions from and compound for rates.

16. The Undertakers may from time to time confer, vary, or extinguish exemptions from and compound with any person or persons with respect to the payment of rates authorised by this Order, but so that no preference be in any case given to any person, and that anything done under this section shall not prejudice the other provisions of this Order.

Rates for use of warehouses, &c.

17. The Undertakers may demand, levy, and receive such rates or other consideration as they may think reasonable, for the use of any warehouses, offices, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to the Undertakers, for the use of which rates are not specifically fixed in the schedule to this Order.

Ballast for vessels.

18. The Undertakers may supply and remove ballast for the accommodation of vessels, or permit the master or owner of any vessel to lift or convey ballast from or to any place where it may be lawfully obtained or deposited for the purpose of supplying or removing the ballast of such vessel, on payment to the Undertakers of such rates as they shall deem proper, not exceeding the rate specified in the schedule to this Order.

Board of Trade may reduce rates.

19. If at any time, and from time to time, the clear annual income derived from the pier and works and conveniences authorised by this Order, on the average of the then three last preceding years, after payment of all expenses and outgoings, other than payments for interest or principal in respect of money borrowed, shall exceed interest at the rate of 10 per centum per annum on the entire sum from time to time appearing to the Board of Trade to have been expended by the Undertakers in executing the works by this Order authorised, the Board of Trade may, if in their discretion they think fit, on application in writing from

six or more of the owners of vessels or boats using the pier and works, and after hearing the Undertakers, reduce the rates leviable under this Order, or any of them, to such amounts as will be sufficient to provide the aforesaid interest at the rate of 10 per centum per annum, with power to the Board of Trade at any time, and from time to time, to raise such rates again to any amounts not exceeding those specified in the schedule to this Order.

Annual account to be sent to Board of Trade.

20. The Undertakers within one month after sending to the sheriff's clerk a copy of their annual account in abstract (which account shall be made up to the end of the day on the 25th day of March in each year) shall send a copy of the same to the Board of Trade, and section 16 of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account. If the Undertakers refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding 20*l.*

Certain fishing vessels under stress of weather exempt from rates.

21. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties or port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the pier or harbour or the works belonging thereto, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of certain officers from rates.

22. The Secretary for Scotland or any person or persons deputed by him, and officers of the Board of Trade, and of the Fishery Board of Scotland, being in the execution of their duty, shall at all times have free ingress, passage, and egress on, into, along, through, up to and out of the pier and works, by land, and with their vessels and otherwise, without payment.

Exemption of lifeboat crews.

23. All persons going to or returning from any lifeboat or using any apparatus for saving life, and being persons, either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the pier and works without payment.

Apparatus for saving life may be attached to pier.

24. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the pier or works, spars and other apparatus for saving life, and may also, either in course of using or exercising the apparatus for saving life, fire rockets over the pier or works.

Power to lease rates.

25. The Undertakers may from time to time lease the rates authorised by this Order for any period not exceeding seven years from the date of the lease, and for such rent and consideration, and on such terms and conditions as they think fit; and the lessee shall have, and may exercise during the continuance of his lease the same powers of levying and recovering rates and dues as the Undertakers have or might exercise under the Harbours, Docks, and Piers Clauses Act, 1847, and this Order, and shall be subject to all the provisions as to accounts and otherwise, to which the Undertakers are made subject under this Order.

Power to borrow.

26. The Undertakers may from time to time borrow and reborrow at interest such money as may be required for the purposes of this Order, not exceeding in the whole the sum of 12,000*l.*, on the security of the rates, dues, and charges

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authorised by this Order, and they may accept and take from any bank or banking company credit to such amount as they may deem expedient on a cash account to be opened and kept in the names of the Undertakers according to the usage of bankers in Scotland, but so that the whole sum owing by the Undertakers on such cash account, and for other money borrowed and for the time being unpaid shall not exceed in the whole the sum of 12,000*l.*, exclusive of interest, and may assign the rates, dues, and charges hereby authorised in security for the repayment of the sum or sums so borrowed, or of the amount of such credit, or of the sums advanced from time to time on such cash account, with interest thereon respectively.

Application of money borrowed.

27. Every part of the money borrowed under this Order shall be applied only for the purposes authorised by this Order to which capital is properly applicable.

Recovery of arrears of interest or principal,

28. If within two months after the interest upon any sum borrowed by the Undertakers has become due, or after the period prescribed for the payment of the principal sum has expired, such interest or principal, as the case may be, shall not be paid, the party or parties entitled to such interest or principal respectively may, without prejudice to any rights, remedies, or securities otherwise open to or held by him or them, apply for the appointment of a judicial factor, as herein-after provided.

Appointment of a judicial factor.

29. Every application for the appointment of a judicial factor under this Order shall be made to the sheriff of the county of Inverness, or his substitute, and on any such application the sheriff or his substitute may, by order in writing, after hearing the parties, appoint some person as judicial factor to receive the whole or a competent part of the rates authorised by this Order, until the arrears of interest or principal, as the case may be, then due, together with all costs, including the charges of receiving the said rates, be fully paid; and upon such appointment being made, all such rates as aforesaid shall be paid to and received by the judicial factor so appointed, and the money so received shall be so much money received by or to the use of the party or parties represented by such judicial factor; and so soon as the full amount of interest or of principal, or of principal and interest, as the case may be, in arrear, and costs, has been so received, the power of the judicial factor shall cease; and after payment of such costs, the judicial factor shall distribute among all the parties represented by him, if more than one, the rates and other moneys which shall have been received by him, having regard in such distribution to any rights of priority existing in respect of the interest or principal thus recovered.

Amount to authorise application for a judicial factor.

30. The amount of arrears necessary to authorise the application for a judicial factor shall be not less than 1,000*l.*

Application of moneys.

31. The rates, dues, and charges received under this Order shall be applied for the purposes and in the order following (that is to say) :—

(1.) In paying the costs, charges, and expenses of and connected with the preparation, obtaining, and making of this Order, or otherwise in relation thereto.

(2.) In paying the expenses of the maintenance, repair, improvement, management, and regulation of the pier and works authorised by this Order.

(3.) In paying year by year the interest and any instalments of principal due in respect of money borrowed under this Order.

(4.) In paying the expense of the execution, maintenance, repair, and purchase of such other works, buildings, sheds, warehouses, wharves, jetties, tugs, dredgers, hydraulic machinery, cranes, engines, and conveniences as may from time to time be necessary for the purposes of the pier and works or the accommodation of the shipping resorting thereto.

(5.) The surplus revenue (if any) of the pier, works, and conveniences, after providing for the purposes aforesaid, shall belong to the Undertakers for their own use.

Sections of Harbours Clauses Act excepted.

32. Sections 16 to 19 inclusive, of the Harbours, Docks, and Piers Clauses Act, 1847, shall not be incorporated with this Order, but the Undertakers shall at their own expense, when required by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the pier, and build on such site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus, and shall be liable to a penalty not exceeding 10*l.* for every calendar month during which they omit to provide such accommodation, after having been required so to do by the Board of Trade.

Partial incorporation of Harbours and Passing Tolls Act, 1861.

33. Part V. of the Harbours and Passing Tolls, &c. Act, 1861, shall be incorporated with this Order.

Power to Undertakers to purchase or hire dredgers, &c.

34. The Undertakers may, for the purposes of the works existing or authorised by this Order, or any of them, from time to time provide, purchase, lease, or hire such steam or other dredgers, engines, tugs, lighters, or other vessels, diving bells, ballast lighters, rubbish lighters, tools, plant, or other materials and machinery as they think fit, and may from time to time demand and receive such sums for the use of the same as they may think fit, or may sell or dispose of the same, and the money thereby realised shall be applied towards carrying into effect the purposes of this Order, or some of them.

Undertakers to be local authority.

35. Within the limits of this Order the Undertakers shall be deemed a local authority within the meaning of the Merchant Shipping Act, 1854, and Acts amending the same, and shall have all the powers conferred by those Acts on local authorities.

Meters and weighers.

36. The Undertakers shall have the appointment of meters and weighers within the limits of this Order.

Byelaws.

37. The Undertakers may make byelaws for the regulation and control of vessels and boats within the limits of this Order, and for the regulation and control of the fishermen and other persons and goods, ballast and traffic on and at the pier and works, ground and property belonging to the Undertakers and used for purposes of this Order, but such byelaws shall not come into operation until the same have received the allowance and comfirmation of the Board of Trade, which shall be sufficient for all purposes.

Temporary lights on works.

38. Before commencing the works authorised by this Order, the Undertakers shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works; and compliance with the directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works, and the Undertakers shall be liable to a penalty not exceeding 10*l.* for every calendar month during which they omit so to apply, or refuse or neglect to observe any direction so given.

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As to lights after completion of works.

39. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Undertakers shall, at the outer extremity of the pier and works, exhibit for all or any part of the time from sunset to sunrise, and according to the requirements of the traffic and the season of the year, such light or lights (if any) as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to lighting, and the Undertakers shall be liable to a penalty not exceeding 10*l.* for every calendar month during which they omit so to apply, or refuse or neglect to observe any such direction.

Provision against danger to navigation.

40. In case of injury to or destruction or decay of the pier or works of the Undertakers, or any part thereof, the Undertakers shall lay down such buoys, exhibit such lights, or take such other means for preventing, as far as may be, danger to navigation, as shall from time to time be directed by the Commissioners of Northern Lighthouses, and shall apply to those Commissioners for directions as to the means to be taken, and the Undertakers shall be liable to a penalty not exceeding 10*l.* for every calendar month during which they omit so to apply, or refuse or neglect to observe any such direction.

Cessor of powers to construct works in case of default.

41. In the following cases (that is to say),—

(1) if within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced; or

(2) if such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months;

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised, except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works have not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act, 1866.

42. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under this Order be commenced within limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Costs of Order.

43. All costs, charges, and expenses of or incident to the preparation and obtaining of this Order, or otherwise in relation thereto, shall be paid by the Undertakers.

Short title.

44. This Order may be cited as the Uig Harbour Order, 1891.

The SCHEDULE to which the foregoing Order refers.

I.—Rates on Vessels using the Pier.

	£	s.	d.
For every vessel loading or discharging at the pier - per register ton	0	0	4

II.—Rates for Boats and other Fishing Vessels using the Pier.

1. For every boat or vessel employed at the herring fishery which loads or discharges fish at the pier for the herring fishery season—			
If not over 25 feet keel (payable on or before the 26th July) -	0	15	0
If not above 20 tons register and over 25 feet keel (payable on or before the 26th July) - - - - - -	1	5	0
If above 20 tons register (payable on or before the 26th July) -	1	10	0
2 For every boat or vessel prosecuting the white or other fishing other than the herring fishing which loads or discharges fish at the pier—			
From the 1st October to 1st January - - - each	0	10	0
From the 1st January to 1st April - - - each	0	10	0
From the 1st April to 1st July - - - - each	0	10	0
3. For every boat or vessel not employed at the regular fishings as above, but which loads or discharges herrings or other fish at the pier, each time—			
If not above 30 tons register - - - - -	0	2	0
If above 30 tons register - - - - -	0	3	0
4. For every boat or fishing vessel loading or discharging any cargo other than fish at the pier, each time—			
If not above 30 tons register - - - - -	0	3	0
If above 30 tons register, same as other trading vessels.			
5. Beaching ground for boats—			
For every herring boat or white-fishing boat, hauled up for the season—			
If above 30 feet keel - - - - -	0	15	0
If above 20 and not above 30 feet keel - - -	0	7	6
If 20 feet keel or under - - - - -	0	5	0

III.—Rates on Vessels and Fishing Boats entering the Harbour.

1. For every pleasure yacht entering the harbour not carrying goods or passengers for hire - - - - per register ton	0	0	3
2. For every vessel entering the harbour for safety or windbound, and which shall not unload any goods or cargo - per register ton	0	0	2
3. Vessels remaining in the harbour beyond one month shall be liable in repetition of the above rates for every month or part of a month they may remain beyond the first month.			
4. For every boat or fishing vessel coming into the harbour for safety or wind-bound, but which shall not load or unload any fish or other cargo, each time—			
If not above 30 tons register - - - - -	0	1	0
If above 30 tons and not above 50 tons - - - -	0	2	6
If above 50 tons, same as trading vessels.			

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	£	s.	d.
5. For every boat or fishing vessel fitting out for or returning from other fishing stations not otherwise paying dues, including dues on furniture	0	1	6

IV.—Rates on Goods Shipped, Transhipped, or Unshipped.

	£	s.	d.
Ale and beer - per gallon	0	0	0¼
Ditto bottled - per gross	0	1	0
Alum - per cwt.	0	0	1
Anchors - per ton	0	5	0
Ashes - per ton	0	2	0
Asphalte and bitumen - per ton	0	1	3
Aerated water, all kinds - per ton	0	1	8
Bacon or hams - per ton	0	3	4
Ballast - per ton	0	0	2
Barrilla - per ton	0	3	0
Bark oak - per ton	0	2	6
Barley and all other groats - per ton	0	2	0
Barrels, empty, herrings - per barrel	0	0	1
Baskets, under 12 inches diameter - per dozen	0	0	6
Ditto, above ditto - per dozen	0	1	0
Basket rods - per cwt.	0	0	2
Beef or pork, fresh or salt - per ton	0	3	6
Beer, black or spruce - per 3 gallons	0	0	2
Billiard table - per cwt.	0	0	2
Biscuits - per ton	0	3	0
Blacking - per cwt.	0	0	6
Bleaching salts - per cwt.	0	0	2¼
Blubber - per 252 gallons	0	3	0
Boats - each	0	5	0
Bones, crushed or uncrushed - per ton	0	1	6
Books and stationery - per cwt.	0	0	4
Bottles - per gross	0	0	4
Ditto, broken - per ton	0	0	6
Boxwood - per cwt.	0	0	1¼
Bran - per ton	0	1	0
Brass - per ton	0	2	0
Bricks - per 1,000	0	0	10
Brimstone - per ton	0	2	0
Bristles - per cwt.	0	0	9
Brooms (common) - per dozen	0	0	2
Bulrushes - per cwt.	0	0	8
Butter - per cwt.	0	0	9
Boxes (empty) - each	0	0	1
Candles - per ton	0	3	6
Canvas - per cwt.	0	0	2
Carpet rugs and upholstery articles - per ton	0	2	6
Cane reeds - per cwt.	0	0	3

		£	s.	d.
	Carboys, empty - - - - - - - each	0	0	1
	Carriages, with springs, under 5 cwt. - - - - each	0	3	0
	Ditto, 5 cwt. and under 7½ cwt. - - - - each	0	5	6
5	Ditto, 7½ cwt. and under 10 cwt. - - - each	0	7	6
	Ditto, 10 cwt. and above - - - - - each	0	10	0
	Carrots - - - - - - - - per ton	0	1	0
	Casks, boxes, sacks and kits, empty, except returned empties, as provided for in the notes to this schedule - - each	0	0	1
10	Cattle - - - - - - - - each	0	1	6
	Calves - - - - - - - each	0	0	6
	Horses - - - - - - - each	0	2	0
	Ponies, under 12 hands - - - - - each	0	1	0
	Asses or mules - - - - - - each	0	1	0
15	Pigs - - - - - - - each	0	0	3
	Sheep and lambs - - - - - - each	0	0	3
	Small cattle - - - - - - each	0	0	8
	Cement - - - - - - - per ton	0	1	6
	Chalk - - - - - - - per ton	0	1	6
20	Cheese - - - - - - - per ton	0	2	6
	Chestnuts - - - - - - - per cwt.	0	0	4½
	Chimney tops - - - - - - - each	0	0	1
	Chocolate - - - - - - - per cwt.	0	1	0
	Cider - - - - - - - per gallon	0	0	0¼
25	Cinders and charcoal - - - - - - per ton	0	0	9
	Clay, viz., china or stone - - - - - per ton	0	1	0
	Clay pipes - - - - - - - per ton	0	1	0
	Clocks - - - - - - - - each	0	1	0
	Clothing, haberdashery, silk mercery, &c., not otherwise enumerated			
30	per ton	0	3	0
	Coals - - - - - - - per ton	0	0	6
	Cocoa - - - - - - - per ton	0	4	0
	Cocoanuts - - - - - - - per 100	0	0	4
	Coffee - - - - - - - per cwt.	0	0	3
35	Coke - - - - - - - per ton	0	0	10
	Confections of all kinds - - - - - per cwt.	0	0	2
	Copper - - - - - - - per ton	0	3	0
	Copper, old - - - - - - - per ton	0	2	0
	Copper ore - - - - - - - per ton	0	1	0
40	Copperas - - - - - - - per cwt.	0	0	1¾
	Colours - - - - - - - per cwt.	0	0	1¾
	Cordage - - - - - - - per ton	0	2	6
	Cordage, old, not in use - - - - - per ton	0	1	0
	Cork wood and corks - - - - - per ton	0	3	4
45	Corn and meal, viz. :—			
	Barley and bigg - - - - - per ton	0	1	4
	Bere and meal - - - - - per ton	0	1	6
	Beans - - - - - - - per ton	0	1	4
	Indian corn - - - - - - per ton	0	1	4
50	Indian meal - - - - - - per ton	0	1	6
	Malt - - - - - - - per ton	0	2	8

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	£	s.	d.
Corn and meal—*cont.*			
Oats - per ton	0	1	4
Oatmeal - per ton	0	1	6
Peas - per ton	0	1	6
Rye - per ton	0	1	4
Wheat - per ton	0	1	6
Cotton wool, &c. - per ton	0	5	0
Crabs - per dozen	0	0	1
Crystal - per ton	0	5	0
Cutch - per ton	0	3	4
Dogs - each	0	0	6
Drugs - per cwt.	0	0	4
Dung - per ton	0	0	4
Earthenware - per ton	0	2	6
Eggs - per cwt.	0	0	3
Emery and emery stones - per cwt.	0	0	3
Feathers - per ton	0	10	0
Felt - per ton	0	2	6
Fish, dried - per cwt.	0	0	3
Ditto, pickled or salt - per cwt.	0	0	2
Ditto, fresh haddock, cod, ling, and fish not enumerated per 1*l.* value	0	0	4
Ditto, offal - per ton	0	0	6
Flax - per cwt.	0	0	2
Flour - per ton	0	2	8
Flower roots - per cwt.	0	0	2
Flint stones - per ton	0	0	6
Fruit, viz.:			
Apples, pears, and berries - per cwt.	0	0	3
Plums, cherries, grapes, and nuts (except cocoa) - per cwt.	0	0	4
Melons - per cwt.	0	0	2
Peaches - per 100	0	0	2
All not enumerated - per 10*l.* valve	0	0	10
Furniture, household - per 10*l.* value	0	1	0
Furriers' waste - per ton	0	0	4
Game, viz. :—			
Hares - each	0	0	2
Rabbits - each	0	0	1
All others - each	0	0	2
Ginger - per cwt.	0	0	3
Ditto, preserved - per cwt.	0	0	6
Glass of all descriptions - per cwt.	0	0	2
Glue - per cwt.	0	0	4
Grates, stoves, &c. - per ton	0	3	6
Grease - per ton	0	2	6
Groceries, all kinds - per cwt.	0	0	3
Gunpowder - per cwt.	0	0	3
Guano - per ton	0	1	6
Hair, all kinds - baken, per cwt.	0	0	4½
Hair, all kinds - plasterers', per ton	0	2	0
Hardware - per cwt.	0	0	2

		£	s.	d.
	Hats - - - - - - - - each	0	0	0½
	Hay - - - - - - - - per ton	0	1	6
	Hemp - - - - - - - - per ton	0	3	6
5	Herrings, imported fresh - - - per 37½ gallons	0	0	2
	Ditto, cured and exported - - - - per 26⅔ gallons	0	0	2
	Ditto, in barrels, imported and exported per 26⅔ gallons - -	0	0	3
	Hides, raw - - - - - - per cwt.	0	0	2
	Honey - - - - - - - - per cwt.	0	0	3
10	Hoops, of wood - - - - - - - per 1,000	0	0	10
	Hops - - - - - - - - - per cwt.	0	0	6
	Horns, slugs, and tips - - - - - per 1,000	0	1	8
	Husbandry implements - - - - - per ton	0	1	4
	Iron, viz.:—			
15	Bar, plate, bolt and rod - - - - - - per ton	0	2	0
	Forged, made work and hoops - - - - per ton	0	3	4
	Old - - - - - - - - - per ton	0	1	3
	Old and broken goods - - - - - - per ton	0	0	6
	Cast-iron goods - - - - - - per ton	0	2	6
20	Wire - - - - - - - per cwt.	0	0	2
	Pig - - - - - - - - per ton	0	1	0
	Kelp - - - - - - - - per ton	0	1	0
	Kiln pavement - - - - - - - per 30 feet	0	0	4
	Lard - - - - - - - - per ton	0	2	0
25	Lead - - - - - - - - - per ton	0	2	0
	Lead, black - - - - - - - - per ton	0	2	0
	Lead, ore - - - - - - - - per ton	0	2	0
	Lead, red and white - - - - - - per ton	0	2	0
	Lead shot - - - - - - - - per ton	0	3	0
30	Lead, sugar of - - - - - - - per cwt.	0	0	2
	Leather, tanned and dressed - - - - per cwt.	0	0	3
	Lemons - - - - - - - - per cwt.	0	0	4
	Lignum-vitæ - - - - - - - - per ton	0	3	0
	Lime - - - - - - - - - per ton	0	0	6
35	Loam - - - - - - - - per ton	0	0	4
	Lobsters - - - - - - - - per dozen	0	0	2
	Machinery - - - - - - - - per cwt.	0	0	2
	Manures, manufactured and not otherwise enumerated - per ton	0	1	6
	Mats and basses - - - - - - - per dozen	0	0	1
40	Mill waste - - - - - - - per ton	0	2	0
	Molasses - - - - - - - - per ton	0	2	0
	Mussels - - - - - - - - per ton	0	0	6
	Oakum - - - - - - - - per ton	0	3	0
	Ochre - - - - - - - - per cwt.	0	0	1½
45	Oil, all kinds - - - - - - - - per ton	0	3	4
	Ditto, cakes - - - - - - - - per ton	0	2	0
	Onions - - - - - - - - per cwt.	0	0	3
	Oranges - - - - - - - - per cwt.	0	0	4
	Oysters - - - - - - - - per cwt.	0	0	3
50	Peats - - - - - - - - per ton	0	0	3

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	£	s.	d.
Paper - - - - - - - - per cwt.	0	0	2
Pewter - - - - - - - - per ton	0	2	0
Ditto, old - - - - - - - - per ton	0	1	8
Pianoforte - - - - - - - - per 10*l.* value	0	1	0
Pictures, under 2 feet square - - - - per picture	0	0	6
Ditto, 2 feet and under 4 feet - - - - per picture	0	1	0
Ditto, 4 feet and upwards - - - - - per picture	0	2	0
Pigs' head - - - - - - - - - per cwt.	0	0	0¾
Pitch - - - - - - - - - per cwt.	0	0	2
Plaster of Paris - - - - - - - - per ton	0	2	8
Plants, nursery and garden, all kinds - - - - per cwt.	0	0	4
Porter - - - - - - - - per gallon	0	0	0¼
Ditto, bottled - - - - - - - - per gross	0	1	0
Potatoes - - - - - - - - - per ton	0	1	0
Poultry, all kinds - - - - - - - - each	0	0	1
Pumice stones - - - - - - - - per cwt.	0	0	3
Pipes, drain, under 3 inches diameter - - - per 1,000	0	0	6
Ditto, above - - - - - - - - per 1,000	0	0	9
Ditto, collars - - - - - - - - per 1,000	0	0	3
Pipes, spigot and faucet, clay, glazed - - - - per ton	0	1	0
NOTE.—Drain tiles and mugs one-third less.			
Pipes, tobacco - - - - - - - - per cwt.	0	0	4
Provisions, preserved, all kinds - - - - - per cwt.	0	0	2
Rags and old ropes - - - - - - - - per ton	0	2	0
Rice - - - - - - - - - per cwt.	0	0	2
Ropes, all kinds - - - - - - - - - per ton	0	2	6
Rosin - - - - - - - - - - per ton	0	2	6
Saddlery, all kinds - - - - - - - - per cwt.	0	0	3
Salt, in bulk - - - - - - - - - per ton	0	1	0
Ditto, rock - - - - - - - - - per ton	0	0	9
Ditto, saltpetre and Glauber salt - - - - per ton	0	3	4
Ditto, in barrel, including dues of barrel - - - per ton	0	1	4
Salmon - - - - - - - - - per cwt.	0	0	6
Seed, viz.:—			
Rape and flax - - - - - - - - per cwt.	0	0	1
Clover - - - - - - - - - per cwt.	0	0	3
Rye grass - - - - - - - - - per ton	0	3	4
Shoes, of all kinds - - - - - - - - per ton	0	3	0
Sheep skins, with wool - - - - - - - - per cwt.	0	0	3
Ditto, pelts - - - - - - - - - per cwt.	0	0	2
Shell-fish, other than those specified - - - - per cwt.	0	0	2
Slates, large - - - - - - - - - per 1,000	0	1	4
Ditto, sizeable - - - - - - - - per 1,000	0	0	10
Ditto, small - - - - - - - - - per 1,000	0	0	6
Snuff - - - - - - - - - - per cwt.	0	0	6
Soap - - - - - - - - - - - per ton	0	2	0
Soda - - - - - - - - - - - per ton	0	0	6
Spades or shovels - - - - - - - - - per doz.	0	0	1
Spirit of all kinds - - - - - - - - - per gallon	0	0	0¼

		£	s.	d.
	Starch - - - - - - - - per cwt.	0	0	3
	Steel - - - - - - - - per ton	0	3	0
	Straw - - - - - - - - per ton	0	1	0
	Stones, viz.:—			
	Freestone, building - - - - - per ton	0	0	5
	Polished granite - - - - - - per ton	0	2	6
	Causeway granite - - - - - per ton	0	0	3
	Kerb, pavement and building - - - - per ton	0	0	5
	Rubble and chips - - - - - per ton	0	0	2
	Rigging stones - - - - per 100 running feet	0	1	6
	Flagstones - - - - - - per ton	0	0	9
	Gravestones - - - - - - - each	0	3	0
	Marble - - - - - - per ton	0	3	0
	Scythe stones - - - - - - per cwt.	0	0	2
	Grindstones - - - - - - each	0	0	4
	Millstones - - - - - - each	0	0	6
	All other descriptions - - - - - per ton	0	1	0
	Stucco - - - - - - - per ton	0	1	8
	Sugar, all kinds - - - - - - per ton	0	1	8
	Stoneware, all kinds - - - - - - per cwt.	0	0	2
	Tallow - - - - - - - per ton	0	2	0
	Tanner's waste - - - - - - per ton	0	1	1
	Tar, coal - - - - - - per 39 gallons	0	0	1
	Ditto, Archangel - - - - per 26½ gallons	0	0	2
	Tea - - - - - - - - per cwt.	0	0	6
	Tiles, roofing - - - - - - - - per 1,000	0	1	0
	Tin of all kinds - - - - - - per ton	0	2	0
	Ditto, plates - - - - - - - - per ton	0	2	0
	Tobacco, in leaf - - - - - - per cwt.	0	0	2¼
	„ manufactured - - - - - - - per 100	0	0	4½
	„ stalks - - - - - - per cwt.	0	0	3
	Tongues, smoked - - - - - - - per dozen	0	0	1½
	„ pickled - - - - - - per cwt.	0	0	4
	Toys - - - - - - - - - - per cwt.	0	0	3
	Treenails - - - - - - per 1,000	0	1	6
	Turnery - - - - - - - - per 10*l.* value	0	0	10
	Turnips - - - - - - - - per ton	0	0	6
	Twine - - - - - - - - - per cwt.	0	0	3
	Tow, all kinds - - - - - - per ton	0	1	6
	Vases or sculptured marble - - - - - - per cwt.	0	0	3
	Vinegar - - - - - - - per gallon	0	0	0¼
	Vitriol - - - - - - - - - per gallon	0	0	0½
	Varnish - - - - - - - per cwt.	0	0	2
	Veneers, all kinds - - - - - - - per cwt.	0	0	4
	Vegetables - - - - - - - per ton	0	0	6
	Whalebone or whale fins - - - - - - per ton	0	3	4
	Wheels, coach, carriage, or cart - - - - per pair	0	0	9
	Whelks - - - - - - - - - per cwt.	0	0	2
	Whitening - - - - - - - per ton	0	0	10

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	£	*s.*	*d.*
Willow reeds - - - - - - - - - per cwt.	0	0	2
Wine - - - - - - - - - per gallon	0	0	0¼
„ bottled - - - - - - - - - per gallon	0	0	1
Wood:—			
Herring barrel billets - - - - - - - - per ton	0	1	0
Herring barrel staves - - - per 1,000 superficial feet	0	1	4
All other kinds not enumerated - - - per 1*l.* value	0	0	4
Wool - - - - - - - - - - - per ton	0	3	4
Yarn, viz. :—			
Lint and cotton - - - - - per ton	0	4	6
Tow - - - - - - - - - - per ton	0	3	4
Hemp - - - - - - - - per ton	0	3	6
Worsted - - - - - - - - - per ton	0	4	6
Zinc - - - - - - - - per ton	0	2	0
All goods or articles not enumerated in the foregoing schedule per cwt.	0	0	2

NOTES WITH REFERENCE TO THE FOREGOING SCHEDULE.

1. All empty boxes, barrels, sacks and packages returned to the orginal shipper within three months from the date of import are exempted from duties.

2. All goods landed from any vessel and re-shipped in the same or another vessel in the original packages, and without being transferred from the lander, or if the said goods have been put into other packages from the original packages having been destroyed or damaged, shall only pay duties on landing, and may be re-shipped in the same or another vessel upon her departure without paying duties again.

3. If any goods for which rates shall have been paid when loaded shall, from any accident or otherwise, be unloaded, no rates shall be charged a second time for such goods on being reloaded.

4. Goods of all descriptions rated by weight shall be charged according to gross weight; fractional parts of any weight, measure, number, or value shall be charged proportionally, and the minimum charge for a single package shall be one penny.

V. RATES FOR THE USE OF SHEDS, CRANES, AND WEIGHING MACHINES, WARPS OR PLANKS.

These to be paid by persons using the same.

1.— *Sheds.*

For each ton of goods which shall remain in any shed or on any quay or pier for a longer time than 24 hours, the sum of 3*d.*, and the sum of 1½*d.* per ton for each day during which such goods shall remain after the first 24 hours.

2.— *Cranes.*

	£	*s.*	*d.*
All goods or packages not exceeding 1 ton - - - -	0	0	3
Exceeding 1 ton and not exceeding 2 tons - - - -	0	0	4
Exceeding 2 tons and not exceeding 3 tons - - - -	0	0	6
Exceeding 3 tons and not exceeding 4 tons - - - -	0	0	8
Exceeding 4 tons and not exceeding 5 tons - - - -	0	0	10
Exceeding 5 tons and not exceeding 6 tons - - - -	0	1	0
Exceeding 6 tons and not exceeding 7 tons - - - -	0	1	2

	£	s.	d.
Exceeding 7 tons and not exceeding 8 tons	0	1	4
Exceeding 8 tons and not exceeding 9 tons	0	1	8
Exceeding 9 tons and not exceeding 10 tons	0	2	0
Exceeding 10 tons	0	3	0

3.—*Weighing Machines.*

For potatoes, salt, and coals, each ton or part of a ton	0	0	4
Goods in quantities of 20 tons and upwards of same cargo, per ton	0	0	3
Other goods, per ton or part of a ton	0	0	6

4.—*Warps or Planks.*

Harbour warps, all vessels, per registered ton	0	0	0¼
Harbour planks, long, per pair	0	3	0
Harbour planks, short, per pair	0	1	0

The long planks to be paid for by vessel and short planks by merchant.

VI.—Water Money.

For each 100 gallons, or part thereof, supplied	0	0	6

VII.—Harbour Lights.

For every fishing boat not above 30 tons - for season	0	1	0
„ „ above 30 tons - for season	0	1	6
For all other boats - each	0	0	6
For every ship not above 100 tons register	0	2	0
„ „ above 100 tons register	0	2	6

But dues for lights shall only be demanded and received so long as a light or lights are duly exhibited during the proper hours.

VIII.—Rates on Passengers and Passengers' Luggage.

For every passenger or other person landing or embarking at the pier from or on board of any ship, vessel, packet, or passage boat, for each time a sum not exceeding—

Above 12 years of age	0	0	2
Not above 12 years of age	0	0	1

Crews of boats and vessels to be exempt from this rate.

For every trunk, portmanteau, box, parcel, or other package within the description of luggage, not carried by the passenger in his hand—

Not exceeding 28 lbs.	0	0	2
Over 28 lbs. and not exceeding 84 lbs.	0	0	4
Over 84 lbs. and not exceeding 112 lbs.	0	0	5
Over 112 lbs. and not exceeding 140 lbs.	0	0	6
Over 140 lbs. and not exceeding 196 lbs.	0	0	7
Over 196 lbs. and not exceeding 2 cwt.	0	0	8
And for every cwt. beyond	0	0	4
And for every 28 lbs. in addition	0	0	1

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GREAT YARMOUTH.

Great Yarmouth.

Order for amending the Great Yarmouth Port and Haven Act, 1866, and the Great Yarmouth Port and Haven Order, 1874; and to provide for the Registration of Vessels using the Rivers within the Port of Great Yarmouth; and for other purposes.

Short title.

1. This Order may be cited as the Great Yarmouth Port and Haven Order, 1891, and shall be read with the Great Yarmouth Port and Haven Act, 1866 (in this Order called the Local Act), and the Great Yarmouth Port and Haven Order, 1874 (in this Order called the Order of 1874): and the Local Act and the Order of 1874 as amended by this Order shall be read together as one Act or Order, and the Order of 1874 and this Order may be cited as the Great Yarmouth Port and Haven Orders, 1874 and 1891.

Undertakers.

2. The Great Yarmouth Port and Haven Commissioners (in this Order called the Commissioners) shall be the Undertakers for carrying this Order into execution.

Amendment of section one hundred and thirteen of local Act.

3. On and after the first day of August one thousand eight hundred and ninety-one, section one hundred and thirteen of the Local Act, so far as that section provides that no river tolls shall be levied in respect of any yachts or boats used only for purposes of pleasure, and also the First and Third Schedules to the Order of 1874, shall be and the same are hereby cancelled and repealed, and the First and Second Schedules to this Order shall be and the same are hereby substituted in the Order of 1874 for the First and Third Schedules to that Order, and the Local Act and the Order of 1874 shall be read and construed accordingly.

Owners and masters of vessels to make returns to Commissioners.

4. For the purpose of collecting the rates or tolls leviable under the First and Second Schedules to this Order upon vessels entering into or departing from the Haven, and landing or embarking passengers, and upon vessels navigating or using the rivers or any of them, or any part thereof, and carrying or conveying passengers thereon, and in respect of every passenger so landing or embarking, or carried or conveyed the owner or master of every such vessel shall from time to time when thereunto required by the collector of rates deliver to him at his office or at such other place as may from time to time be appointed for the purpose, a return in writing containing full particulars of the number of entries or departures into or from the haven, or trips upon the rivers, or any of them or any part thereof, made by such vessel from time to time, with the date of each such entry or departure or trip, and the number of passengers landing or embarking or carried or conveyed on the occasion of each such entry, or departure or trip, and if such owner or master fail to deliver any such return or give any false particular he shall for every such offence forfeit not exceeding ten pounds.

Registration of vessels using rivers.

5. The owner or master of every vessel upon which any rate or toll is leviable under the Second Schedule to this Order shall forthwith, upon this Order coming into operation, and thereafter once in every year, namely, on the twenty-fifth day of March, or on the day in every year commencing on the twenty-fifth day of March, on which every such vessel shall for the first time be used or navigated on any part of the rivers, cause every such vessel to be

registered with the Commissioners, and for that purpose shall at the same time fill up and furnish to the Commissioners, or to the collector of rates, particulars for the registration of every such vessel in the form contained in the Third Schedule to this Order, or in such other form as the Commissioners may from time to time require, and if any owner or master fail to supply the Commissioners with such particulars or give any false particular, he shall for every such offence forfeit not exceeding ten pounds.

How tonnage or measurement to be ascertained when required.

6. The tonnage or measurement of every vessel to be registered under the last preceding section shall, if so required by the Commissioners, be ascertained previously to such vessel being registered, and the mode of ascertaining the same shall be according to the following rule (that is to say):

The length shall be taken in a straight line from the fore end to the after end of the load water-line and the breadth shall be taken from the outside of the outside plank in the broadest part of the vessel whether that shall be above or below the main wales inclusive of all manner of doubling planks (except the usual mouldings) then adding such breadth to the length and multiplying the sum thus obtained by itself and the product by the breadth and dividing the final product by 1730 the quotient shall be deemed to be the tonnage: Provided always that fractions of a ton shall be reckoned as one ton:

Provided also that this section shall not apply to wherries or to vessels propelled by steam or other mechanical power licensed by the Board of Trade to carry passengers, and duly registered in accordance with the provisions of the Merchant Shipping Acts for the time being in force.

Measurement in case of dispute.

7. In case of any dispute arising under the provisions of the two last preceding sections between any owner or master and the Commissioners as to the correct measurement or tonnage of any vessel upon which any rate or toll is leviable under the Second Schedule to this Order, such dispute shall be determined on the application of either party by the Board of Trade who shall receive in respect of the services of any person appointed by them to act as measurer a fee of ten shillings for each vessel measured, together with such reasonable travelling expenses as may be approved by them: the decision of the Board of Trade in the matter shall be final, and the expense of such measurement shall in any case where the disputed measurement or tonnage is found to be in excess of the measurement or tonnage declared by such owner or master, be paid by the owner or master of the vessel in question, and such expense shall be recoverable by the Commissioners in like manner as penalties under this Order are recoverable.

Annual account to be sent to Board of Trade.

8. The Commissioners, within one month after sending to the clerk of the peace the copy of their annual account in abstract (which account is to be made up at the end of the day on the twenty-fifth day of March in each year), shall send a copy of the same to the Board of Trade; and section sixteen of the General Pier and Harbour Act, 1861, Amendment Act, shall apply to and include any and every such account and statement. If the Commissioners refuse or neglect to comply with this provision, they shall, for every such refusal or neglect, be liable to a penalty not exceeding twenty pounds.

Rates to be revised.

9. The Commissioners shall from time to time revise the rates and dues received by them under the Local Act, the Order of 1874, and this Order, so that their income under the said Act and Orders may always be, so far as

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practicable, sufficient, and not more than sufficient, for the purposes of the said Act and Orders; and if at any time, and from time to time, the clear annual income derived from the port, haven, and rivers, on the average of the then three last preceding years, after payment of all expenses and outgoings, shall exceed the amount sufficient to answer the purposes of the said Act and Orders, the Board of Trade may, if in their discretion they think fit, reduce the rates and dues leviable under the said Act and Orders to such extent as will be sufficient to provide the amount aforesaid, and the rates shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding those authorised by this Order.

Costs of Order.

10. All costs, charges, and expenses of, or preparatory, or incident to the preparation and obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Commissioners.

SCHEDULES to which the foregoing Order refers.

THE FIRST SCHEDULE.

RATES ON VESSELS.

	£	s.	d.
For every vessel entering into or departing from the haven (not being a vessel otherwise charged in this schedule for such entering or departing):			
For every such vessel under the burden of 150 tons per register ton	0	0	4
For every such vessel of the burden of 150 tons and upwards per register ton	0	0	8
For every vessel entering into or departing from the haven laden with coals only:			
For every such vessel under the burden of 200 tons per register ton	0	0	4
For every such vessel of the burden of 200 tons and upwards per register ton	0	0	6
(The above rates shall not be payable on any such vessel departing from the haven and having paid the rate on entering therein.)			
For every vessel (except steam tugs) entering into the haven for refuge only under the burden of 150 tons per register ton	0	0	4
Of the burden of 150 tons and upwards per register ton	0	0	8
(This rate to be charged but once in respect of the same voyage.)			
For every vessel entering into or departing from the haven and landing or embarking passengers, in addition to the above rates:			
In respect of every passenger landing or embarking	0	0	1
For every steam or other vessel entering into or departing from the haven for the sole purpose of towing vessels per register ton per annum	0	10	0

	£	s.	d.
(This rate to be payable for each year commencing on the twenty-fifth day of March, and to be due and payable on the day in each respective year on which the vessel shall for the first time in that year enter into or depart from the haven.)			
For every steam tug entering into or departing from the haven for any purpose other than that of towing vessels	1	0	0
(This rate shall not be payable on any such steam tug departing from the haven and having paid the rate on entering it.)			
For every lighter departing from or entering into the haven and conveying animals, fish, or goods to or from any vessel in Yarmouth roads within the port, if the vessel do not enter into or depart from the haven, for each trip from and to, or, as the case may be, to and from the haven, per ton	0	0	4
For every vessel prosecuting the herring fishery and entering into or departing from the haven at any time during the herring season in the months of August, September, October, November, and December, or any of them:			
If decked for each herring season	1	0	0
If not decked	0	10	0
For every vessel prosecuting the mackerel fishery and entering into or departing from the haven at any time during the mackerel season in the months of April, May, June, and July, or any of them, for each mackerel season	0	10	0
(These rates to be due and payable on the day in each respective fishing season on which the vessel shall for the first time in that season enter into or depart from the haven.)			
For every vessel remaining in the haven beyond one month whether for trade or for refuge, for every additional month after the first month a fraction of a month being considered as one month per register ton	0	0	2

THE SECOND SCHEDULE.

River Rates or Tolls on Vessels.

	£	s.	d.
1. For every vessel navigating or using the Rivers Yare, Bure, and Waveney, defined by the Local Act, or any of them, or any part thereof, for the purpose of carrying animals, fish, or goods, or any passenger thereon, and for every vessel for gift, pay, hire, reward, or promise of future payment, let, lent, hired, or engaged for purposes of pleasure, and navigating or using the said rivers or any of them or any part thereof:—			
If propelled by steam or other mechanical power per register ton, or, at the option of the Commissioners, per ton burden or carrying power per annum	0	2	6
If propelled in any other way, per register ton, or, at the option of the Commissioners, per ton burden or carrying power per annum	0	1	0

A.D. 1891.

Great Yarmouth.

	£	s.	d.
2. For every vessel, except rowing boats, navigating or using the Rivers Yare, Bure, and Waveney defined by the Local Act, or any of them, or any part thereof, for purposes of pleasure only and not for gift, pay, hire, reward, or promise of future payment :—			
For every such vessel under five tons measurement, per annum -	0	5	0
Of five tons and under ten tons measurement, per annum - -	0	10	0
Of ten tons measurement and upwards, per annum - -	0	15	0
(The above rates shall be payable for every year commencing on the twenty-fifth day of March and be due and payable on the day in each year on which the vessel shall for the first time be used or navigated in that year on the said rivers or any of them or any part thereof, and shall be payable only in respect of the river on which such vessel shall be navigated or used for the first time in that year, but the rates or tolls under the second clause of this schedule shall not be payable by any vessel which shall for the same year have paid any rate or toll under the first clause in this schedule.)			
3. For every vessel propelled by steam or other mechanical power navigating or using the said rivers or any of them or any part thereof, and carrying or conveying passengers thereon in addition to the above rate :—			
In respect of every passenger so carried or conveyed - -	0	0	1
(This rate shall be due and payable once only in respect of the same passenger carried or conveyed on the same day on the same vessel on the said rivers, or any of them, or any part thereof.)			

RIVER RATES OR TOLLS ON ANIMALS, FISH, AND GOODS.

One-third part of the rates or tolls on animals, fish, and goods as respectively specified in the Second Schedule to the Order of 1874.

THE THIRD SCHEDULE.

FORM OF PARTICULARS FOR REGISTRATION OF VESSELS.

Name of Vessel.	Tonnage or Measurement or Burden or Carrying Power.	How propelled.	Name and Address of Owner.	Name and Address of Master.

Pier and Harbour Provisional Orders (No. 1).

A

B I L L

To confirm certain Provisional Orders mad by the Board of Trade under "The Genera Pier and Harbour Act, 1861," relatin to Boscombe, Fraserburgh, Herne Bay Mullion, Pennan, Scarborough, Uig, an Yarmouth (Great).

(*Prepared and brought in by Sir Michael Hicks Beach and Baron Henry de Worms.*)

Ordered, by The House of Commons, *to be Printed*, 6 *April* 1891.

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[*Price 7d.*]

[Bill 263.]

A

B I L L

TO

Confirm a Provisional Order for the Inclosure of Mungrisdale Low Common, situate in the parish of Greystoke, in the county of Cumberland, in pursuance of a report from the Board of Agriculture. A.D. 1891.

WHEREAS the Board of Agriculture did, in pursuance of the Inclosure Acts, 1845–1878, issue, in the year one thousand eight hundred and ninety-one, the Provisional Order of Inclosure set forth in the schedule hereto, and in a special report certified that it was expedient that the same should be confirmed by Parliament: 8 & 9 Vict. c. 118., &c.

And whereas a Committee of the House of Commons, to which the same Provisional Order was referred, recommended that the same should be confirmed without modification:

And whereas the said Inclosure cannot be proceeded with without the previous authority of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Provisional Order of Inclosure set forth in the schedule to this Act is hereby confirmed. Order in schedule confirmed.

2. This Act may be cited as the Inclosure (Mungrisdale) Provisional Order Confirmation Act, 1891. Short title.

A.D. 1891.

Mungrisdale.

SCHEDULE.

Provisional Order for the Inclosure of a Common.

WHEREAS persons interested in certain lands called or known as Mungrisdale Low Common, situate in the township of Mungrisdale, in the parish of Greystoke, in the county of Cumberland, such lands being a common within the meaning of the Inclosure Acts, 1845 to 1878, have made application to the Board of Agriculture to issue a Provisional Order for the inclosure of such common, and to certify that it is expedient that such Provisional Order should be confirmed by Parliament:

And whereas it has been made to appear to the said Board that the persons making the said application represent at least one third in value of such interests in the said common as are proposed to be affected by the Provisional Order:

And whereas the said Board, having taken the said application into consideration, were satisfied that a prim fa cie case had been made out, and that, regard being had to the benefit of the neighbourhood as well as to private interests, it was expedient to proceed further in the matter, and accordingly ordered a local inquiry to be held by an Assistant Commissioner:

And whereas the said Assistant Commissioner, having caused public notice to be given as required by the said Acts, held, pursuant to the said notice, public meetings at the school house in the said township on the twenty-eighth and twenty-ninth days of August one thousand eight hundred and ninety, at the respective hours of eleven in the morning and seven in the evening, to hear all persons desirous of being heard on the subject matter of the said application, and any information or evidence which might be offered in relation thereto, and inquired into the correctness of the statements in the said application, and otherwise into the expediency of making the Provisional Order applied for, and into the nature of the provisions to be inserted in such Provisional Order:

And whereas the said Assistant Commissioner inspected the said common as required by the said Acts:

And whereas the said Assistant Commissioner duly reported in writing to the said Board the result of the local inquiry and of the public meetings held by him, together with the information obtained by him as to the several particulars in the said application, and all other information required by the said Acts, and annexed to his report a sketch map of the said common, a copy of which map is deposited in the office of the said Board:

And whereas Henry Charles Howard, Esquire, as lord of the manor of Greystoke, is entitled to the soil of the said common:

Now, therefore, the Board of Agriculture, in pursuance of the powers given to them by the Board of Agriculture Act, 1889, and the said Acts, being satisfied that, having regard to the benefit of the neighbourhood as well as to private interests, the inclosure of the said common is desirable, have framed, for the consideration of the persons interested, this Draft Provisional Order specifying the terms and conditions on which, provided the necessary consents are given thereto, they are prepared to certify that it is expedient the Provisional Order should be confirmed by Parliament; that is to say,

That the strips of common in the village of Mungrisdale, tinted pink on the map herein-before referred to, and containing four and a half acres or thereabouts, and also the piece tinted yellow and marked C on the said map, and containing three acres or thereabouts, be allotted for recreation grounds:

That three acres at or near the spot marked A, and three acres at or near the spot marked B on the said map, be allotted for field gardens:

That such roads and paths be set out to the satisfaction of the Board of Agriculture as may be convenient for public use:

That one-sixteenth part in value of the residue of the said common be allotted, under the provisions of the said Acts, to the said Henry Charles Howard, as lord of the said manor, in lieu of his right and interest in the soil of the said common, exclusively of his right and interest in all mines, minerals, stone, and other substrata under the same, and also exclusively of any right of pasturage, or other right of common, or interest in the nature of a right of common, which may have been usually enjoyed by such lord or his tenants upon the said common, which said right of pasturage or other right, if any, is to be compensated by allotments or otherwise, independently of the allotment hereby stipulated in respect of his right and interest in the soil:

That the allotments to which the said Henry Charles Howard may be entitled, in lieu of his right and interest in the soil, or in respect of rights of pasturage or other rights of common as aforesaid, be set out upon that part of the common which is known as "White Moss," and that the said Henry Charles Howard, and the lord of the said manor for the time being, shall be entitled to the sole and exclusive right to all manner of game upon the said part of the common known as "White Moss," when inclosed, together with the right of hunting, hawking, and fowling over the same, with full power and authority for him, and all persons authorised by him, to enter upon the said common called "White Moss," when inclosed, for the convenient exercise of such rights, and to watch and preserve the game, and to prevent unauthorised persons from the destruction or pursuit thereof:

That there be reserved to the lord of the manor, concurrently with the owners of the allotments, all manner of game upon the lands to be inclosed (except the said common called White Moss) when inclosed, together with the right of hunting, hawking, and fowling over the same lands (except as aforesaid), with full power and authority for him and all persons authorised by him to enter upon the said lands (except as aforesaid) when inclosed, for the convenient exercise of such rights, and to watch and preserve the game, and to prevent unauthorised persons from the destruction or pursuit thereof:

And in respect of the mines, minerals, stone, and other substrata under the said common, which are hereby excepted from the inclosure and reserved to the lord of the manor, it is hereby specified as follows; that is to say,

That a right to enter the said lands, when inclosed, for the purpose of opening, working, or winning such mines, minerals, stone, and other substrata be reserved to such lord of the manor, compensation to be made by the persons exercising such right for any damage to the surface which may thereby be done.

In witness whereof they have hereunto set their official seal this fifteenth day of January one thousand eight hundred and ninety-one.

L.S.

James Caird,
Member of the Board.

Inclosure Provisional Order (Mungrisdale).

A

B I L L

To confirm a Provisional Order for the Inclosure of Mungrisdale Low Common, situate in the parish of Greystoke, in the county of Cumberland, in pursuance of a report from the Board of Agriculture.

(*Prepared and brought in by Mr. Chaplin and Mr. Jackson.*)

Ordered, by The House of Commons, *to be Printed*, 24 *April* 1891.

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HODGES, FIGGIS, & Co., 104, GRAFTON STREET, DUBLIN.

[*Price* ½*d.*]

[Bill 291.]

A

B I L L

TO

Confirm a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Poole. A.D. 1891.

WHEREAS a Provisional Order made by the Board of Trade under the General Pier and Harbour Act, 1861, is not of any validity or force whatever until the confirmation thereof by Act of Parliament: 24 & 25 Vict. c. 45.

And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act, and set out in the schedule to this Act, be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Order set out in the schedule to this Act shall be and the same is hereby confirmed, and all the provisions thereof in manner and form as they are set out in the said schedule shall, from and after the *passing of this Act*, have full validity and force. Confirmation of Order in schedule.

2. This Act may be cited as the Pier and Harbour Orders Confirmation (No. 3) Act, 1891. Short title.

A.D. 1891.

Poole.

SCHEDULE.

POOLE.

Order for amending an Act passed in the twenty-ninth year of the reign of His Majesty King George the Second, relating to Poole Harbour, and for conferring further powers upon the Mayor, Aldermen, and Burgesses of the Borough of Poole.

Short title. Order to be read with Poole Harbour Act, 1756.

1. This Order may be cited as The Poole Harbour Order, 1891, and shall be construed as one with the Act passed in the twenty-ninth year of the reign of His Majesty King George the Second, entitled "An Act for the better ascertain- "ing, recovering, and collecting certain duties payable upon the importation "and exportation of goods and merchandises, into or out of the harbour of the "town and county of Poole, and also of ballast and boomage duties payable in "respect of ships and vessels coming into and going out of the said harbour, "and for the enlarging, better repairing, and keeping in repair the said harbour, "and the quays and wharves, and for providing a proper place for keeping "gunpowder in or near the said town, and for establishing and regulating a "nightly watch, and enlightening the streets in the said town" (in this Order called the Act of 1756); and this Order and the Act of 1756, as amended and varied by this Order, shall be read and construed together as one Act or Order.

Repeal and amendment of provisions of Poole Harbour Act, 1756.

2.—(1.) On and after the first day of September, one thousand eight hundred and ninety-one, there shall be repealed and is hereby repealed so much of the Act of 1756 as provides that the mayor, bailiffs, and burgesses of the town and county of the town of Poole, or the major part of them whereof the mayor to be one, may assemble for the purposes of the said Act; also so much of the said Act as provides that in case of nonpayment of rates thereby authorised, it shall be lawful for the mayor or any justice of the peace for the town and county of the town of Poole to issue a warrant under their hand to distrain, detain, and stop the ship wherein any goods, wares, merchandises, or commodities for which such rates are pay able shall be loaded until such rates are paid and satisfied, with the costs and charges of such distress; also so much of the said Act as provides that fines and forfeits to be paid by masters or commanders of ships not delivering in an account of their loading shall be recovered by action of debt in any of His Majesty's Courts of Record; also so much of the said Act as provides that if any dispute shall arise with respect to the tonnage of any vessels or goods, the mayor and two justices of the peace for the said town and county, together with four younger Brothers of the Trinity House, or the majority of them, shall from time to time decide and settle such dispute, and ascertain such tonnage respectively; also the table or schedule relating to harbour duties annexed to the said Act.

(2.) (*a.*) The section of the Act of 1756, whereof the marginal note is "Mayor "&c. to appoint and remove officers, allow salaries to, and take securities from "such officers" shall be read as if the following words had been omitted from the said section, namely, "And also to assign and allow to and amongst the said "officers for the time being a reasonable salary or wages for their care or

"trouble out of the rates and duties to be by them levied, collected, and "received by virtue of the present Act not exceeding two shillings in the "pound," and in lieu of the said words the following words shall be read and have effect, namely, "And also to assign and pay to the said officers such "salaries as may be deemed reasonable and expedient."

(*b.*) The section of the Act of 1756, whereof the marginal note is "What "quantity of goods shall be deemed a ton" shall be read as if the words "forty "cubic feet of measurable goods" had been therein used instead of the words "forty square feet of measurable goods."

Undertakers.

3.—(1.) The mayor, aldermen, and burgesses of the borough of Poole, acting by the Council of the said borough as Trustees, shall be the Trustees of the quays and harbour of Poole, and shall be the Undertakers for carrying this Order into execution, and are in this Order referred to as the Trustees.

(2.) Any nine members of the Council shall be sufficient to form a quorum for the transaction of business for the purposes of this Order and the Act of 1756 at any meeting of the Council as Trustees convened as herein-after provided. If the mayor be present at such meeting he shall, ex-officio, act as chairman thereof, and in the absence of the mayor from such meeting the members present shall elect one of their number to be chairman thereof.

(3.) The clerk to the mayor, aldermen, and burgesses shall act as clerk to the Trustees, and shall give three clear days' notice in writing beforehand by post to each member of the Council as Trustees of the date and time and place of every meeting of the Council as Trustees, for the purposes above mentioned, and such notice shall state briefly the nature of the business to be transacted at the meeting thereby notified, and no business shall be transacted at any such meeting other than that specified in such notice: Provided that want of service of any such notice upon any Trustee shall not affect the validity of the meeting.

(4.) All acts of the Trustees and all questions coming or arising before the Trustees may be done and decided by a majority of the Trustees present and voting at any meeting held in pursuance of this Order or the Act of 1756, and in case of equality of votes the chairman shall have a second or casting vote.

(5.) A Trustee shall not vote or take part in the discussion of any matter in which he has directly or indirectly by himself or his partner any pecuniary interest.

Limits.

4. The limits within which the Trustees, their officers and servants, shall have authority, and which shall be deemed the limits to which this Order and the power to levy rates extend, shall comprise the existing harbour and works constructed under the powers of the Act of 1756, and the works by this Order authorised, and the whole lands, accesses, works, buildings, and conveniences connected therewith.

Power to levy certain rates under Act of 1756 not to extend to purposes of Order.

5. This Order or anything therein contained shall not be construed to extend any power which the Trustees may possess under the Act of 1756 of levying any rate or rates upon any owners or occupiers of any messuages, houses, shops, warehouses, malthouses, granaries, buildings, or yards, for defraying the charges and expenses of lighting or watching, or providing a proper magazine for the keeping of gunpowder as provided by that Act, to levying any such rate or rates upon such owners or occupiers for the purposes of this Order, or the payment of expenses in connexion therewith.

A.D. 1891.

Poole.

Incorporation of Harbour, &c. Clauses Act, 1847.

6. The Harbours Docks and Piers Clauses Act, 1847 (except as the same is expressly varied by this Order, and except sections 16 to 19, both inclusive), is hereby incorporated with this Order, and shall apply to the existing harbour and works constructed under the powers of the Acts of 1756 (in this Order called "the existing harbour"), and to the quays and works by this Order authorised (in this Order called "the works by this Order authorised"), and to the lands, works, buildings, conveniencies, and property connected therewith, and to the whole of the harbours and works at any time under the control of the Trustees: Provided that the Trustees shall at their own expense, when directed by the Board of Trade, provide to the satisfaction of the Board of Trade a site near the harbour, and build on such a site a house and other proper accommodation for a lifeboat, rocket apparatus, and other life-saving apparatus; and shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit to provide such accommodation after having been required so to do by the Board of Trade.

Power to take lands by agreement.

7. For the purpose of the works authorised by this Order the Trustees may from time to time by agreement enter on, take, and use all or any part of the lands shown on the deposited plans as they think requisite for the purposes of this Order, and for such purposes the provisions of the Lands Clauses Consolidation Acts, 1845, 1860, and 1869, except the provisions as to the purchase and taking of lands otherwise than by agreement, shall be and are hereby incorporated in this Order.

Power to execute works.

8. Subject to the provisions of this Order, and subject also to such alteration (if any) in the plans and sections deposited with reference to this Order as the Board of Trade require, from time to time before the completion of the works, in order to prevent injury to navigation, the Trustees may on the lands taken by them under this Order, and in the lines and situations and according to the levels shown on the deposited plans and sections (so far as the same are shown thereon), and within the limits of deviation shown on those plans, make and maintain the works authorised by this Order.

Description of works authorised.

9. The works authorised by this Order comprise the following:

No. 1. A new quay wall in the quay channel at the town of Poole commencing at the steps in the existing quay face opposite to the Custom House, and extending eastward for a distance of about one hundred and thirty-three yards, and terminating at a point about eight yards south of the steps in the quay face opposite to "The Portsmouth Hoy" public-house, and also to dredge to a depth of fourteen feet at low water along the front of the said new quay wall.

No. 2. A new quay wall commencing at a point on the present quay face about forty-four yards south-east from the south-east corner of Fish Street, and extending in an easterly direction along a slightly curved line for a distance of about one hundred and seventy yards, and terminating at a point about seventy yards south of the south-east corner of the Poole Pottery Works.

All which lands and works will be situate in or adjacent to the parish of St. James's, in the borough and county of the town of Poole and in the county of Dorset.

All which works are solid throughout.

A.D. 1891.

Poole.

Power to deviate.

10. The Trustees in constructing the works authorised by this Order may alter and deviate the same vertically and laterally to any extent which may be approved in writing by the Board of Trade, but not beyond the limits of deviation marked on the deposited plans.

Penalty for obstructing works.

11. Every person who wilfully obstructs any person acting under the authority of the Trustees in setting out the lines of the works authorised by this Order, or who pulls up or removes any poles or stakes driven into the ground for the purpose of setting out the lines of the said works, or defaces or destroys the said works or any part thereof, shall be guilty of an offence, and shall for every such offence be liable to a penalty not exceeding five pounds.

Power to maintain and improve works, warehouses, &c., and to dredge.

12. Subject to the provisions of this Order the Trustees may, within the limits of this Order, from time to time make, construct, and maintain all embankments, approach roads, footways, jetties, toll houses, warehouses, offices, sheds, dredgers, weighing-machines, cranes, moorings, buoys, electric and other lights, and other buildings, works, conveniences, and accessories which may be found necessary for the accommodation of vessels and traffic landed within the harbour or the maintenance or improvement of the harbour, and they may also from time to time lay down and maintain rails, tramways, sidings, and turntables on and along the quays, and other works and lands connected therewith ; and they may, within the aforesaid limits, dredge, scour, cleanse, deepen, widen, straighten, enlarge, improve, and maintain the entrances and channels to the quays, harbour, and works, and may remove rocks, banks, sand, mud, or shingle therefrom ; provided that works authorised by this section below high-water mark shall not be commenced without the assent of the Board of Trade having been first obtained in writing.

Appointment of meters, weighers, and other officers.

13. The Trustees shall have the appointment of meters, weighers, and other officers on and in connexion with the existing harbour and the works authorised by this Order.

Power to levy rates.

14. When a certificate has been obtained from the Board of Trade that all consents and approvals on the part of the Board of Trade required under this Order or otherwise necessary to the due construction of the works authorised by this Order have been given, the Trustees may subject and according to the provisions of this Order for the use of the quays and works, demand, recover, and receive in respect of vessels, goods, and things described in the schedule to this Order any sums not exceeding the several rates in that schedule specified.

Compensation for boomage rates.

15. The Trustees may, at any time in lieu of and by way of compensation for the boomage rates on vessels specified in the schedule to this Order, make such charges and levy such rates not exceeding the boomage rate specified therein, on vessels as they may deem just and expedient, but so that no preference shall be given.

Rebate on goods at private wharves.

16. The Trustees shall in respect of goods shipped or unshipped, laden or unladen, in, on, or out of any ship or vessel at any quay or wharf which is the property of private owners within the limits of the harbour of Poole, make and allow a rebate or discount of ten per cent. on the rates applicable to such goods specified in the schedule to this Order.

A.D. 1891.

Poole.

Rates may be levied though works not completed.

17. When and so soon as it shall be at any time, or from time to time, certified in writing under the hand of an officer to be appointed for the purpose by the Board of Trade, and paid by the Trustees, that the works authorised by this Order have been so far completed as to afford accommodation for the traffic of the harbour by means of such works, the Trustees may, notwithstanding the twenty-fifth section of The Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order shall not then have been completed, demand, receive, and recover such of the rates, or such proportion of all or any of the rates specified in the schedule to this Order, other than the boomage rates and the rates on clay or bricks, as shall, in the opinion of the Board of Trade, be commensurate with the accommodation afforded.

Boomage rates and rates on clay and bricks may be taken before works are completed.

18. Notwithstanding the twenty-fifth section of The Harbours, Docks, and Piers Clauses Act, 1847, and although the whole of the works authorised by this Order have not been completed, the Trustees may, on and after the first day of September one thousand eight hundred and ninety-one, demand, receive, and recover all or any part of the boomage rates and of the rates on clay and bricks specified in the schedule to this Order.

Rates for the use of warehouses, &c.

19. The Trustees may demand and receive such rates or other consideration as they may think reasonable for the use of any warehouses, sheds, buildings, weighing machines, cranes, works, and conveniences belonging to them and used in connexion with the harbour for the use of which rates are not specially fixed in the schedule to this Order.

Power to lease undertaking and rates.

20. The Trustees may from time to time lease their undertaking, harbour, quays, warehouses, works, and conveniences, or any part or parts thereof, or the tolls, rates, and other charges authorised to be taken by this Order for any term not exceeding seven years from the date of the lease, to take effect in possession for such rent and consideration, and on such terms and conditions as they may think fit, and the lessee shall have and may exercise during the continuance of his lease, the same power of levying and recovering rates as the Trustees have or might exercise, and shall be subject to all the same provisions as to accounts and otherwise to which the Trustees are made subject by this Order.

Annual account to be sent to Board of Trade.

21. The Trustees within one month after sending to the clerk of the peace a copy of their annual account in abstract (which account is to be made up at the end of the day on the twenty-fifth day of March in each year) shall send a copy of the same to the Board of Trade; and section sixteen of the General Pier and Harbour Act, 1861, Amendment Act shall apply to and include any and every such account. If the Trustees refuse or neglect to comply with this provision, they shall for every such refusal or neglect be liable to a penalty not exceeding twenty pounds.

Rates to be revised.

22. The Trustees shall from time to time revise the rates, dues, and charges received by them in respect of the harbour and works under the Act of 1756 and under this Order, so that their income under the said Act and this Order may always be, so far as practicable, sufficient, and not more than sufficient for the purposes of the said Act and this Order, and if at any time, and from time to time, the clear annual income derived from the harbour and works on the average of the then three last preceding years, after payment of all expenses

and outgoings, shall exceed the amount sufficient to answer the purposes of the said Act and this Order, the Board of Trade may, if in their discretion they think fit, reduce the rates, dues, and charges leviable under the said Act and this Order to such extent as will be sufficient to provide the amount aforesaid, and the same shall thereupon be reduced accordingly, but with power to the Board of Trade at any time, and from time to time, to raise them again to sums not exceeding those authorised by this Order.

Certain fishing vessels under stress of weather exempt from rates.

23. Fishing vessels belonging to countries with which for the time being treaties exist exempting from duties and port charges such vessels when forced by stress of weather to seek shelter in the ports or on the coasts of the United Kingdom, shall, when forced by stress of weather to make use of the harbour and works, and not breaking bulk while making use thereof, be exempt from rates leviable under this Order.

Exemption of Board of Trade officers.

24. Officers of the Board of Trade, being in the execution of their duty, shall at all times have free ingress to, and passage and egress on, along, through, from, and out of the harbour and works by land, and with their vessels and otherwise, without payment.

Lifeboat crew to be exempt from tolls.

25. All persons going to or returning from any lifeboat, or using any apparatus for saving life, and being persons either belonging to the crew of the lifeboat or to the coastguard, or being persons for the time being actually employed in saving life, or in exercising or using the lifeboat or the apparatus for saving life, and also all persons brought ashore from any vessel in distress, shall at all times have free ingress, passage, and egress to or along and from the harbour and works without payment.

Life-saving apparatus may be attached to harbour or works.

26. The officers of the coastguard, and all other persons for the time being actually employed in connexion with the lifeboat, or the apparatus for saving life, may, either permanently or temporarily, and from time to time, without payment, attach or cause to be attached to any part of the harbour or works spars and other apparatus for saving life, and may also either in course of using or of exercising the apparatus for saving life fire rockets over the harbour and works.

Powers to borrow.

27. Inasmuch as all borrowing powers under the Act of 1756 have been exhausted and all loans under that Act have been repaid, the Trustees may from time to time for the purposes of the improvement of the existing harbour and the works authorised by this Order, in addition to any sum which they are already authorised to borrow, borrow at interest any sum or sums not exceeding in the whole twenty thousand pounds on the security of the rates authorised by this Order.

Re-payment of borrowed money.

28. The Trustees shall pay off all moneys borrowed by them under this Order within fifty years from the time or respective times of borrowing the same by any one or more of the methods mentioned in the Local Loans Act, 1875, and sections thirteen, fourteen, and fifteen of that Act are hereby incorporated with this Order and shall apply accordingly: Provided that the Trustees shall not invest any sinking fund or sinking funds created under this Order in their own securities.

Re-borrowing.

29. Any moneys borrowed by the Trustees under this Order and repaid otherwise than in manner provided by this Order may be from time to time

A.D. 1891. *Poole.*

re-borrowed by the Trustees, but so that the same shall be repaid within the period limited by this Order; and for the purposes of repayment and of sections fourteen and fifteen of the Local Loans Act, 1875, the moneys borrowed and the moneys originally borrowed shall be deemed to form the same loan.

Annual return to Board of Trade as to sinking fund.

30. The clerk to the Trustees shall within forty-two days after the expiration of each year during which any sum is required to be set apart for a sinking fund, or any instalment is required to be paid under this Order, transmit to the Board of Trade a return in such form as may be prescribed by that Board and verified by statutory declaration if so required by them showing the amount which has been paid as an instalment or invested for the purpose of such sinking fund during the year preceding the making of such return and the description of the securities upon which the same has been invested, and also showing the purposes to which any portion of the moneys invested for the sinking fund and the interest thereof have been applied during the same period, and the total amount remaining invested at the end of the year; and in the event of any wilful default in making such return the clerk shall be liable to a penalty not exceeding twenty pounds, which shall be paid to and be recoverable by that Board in the same manner as penalties recoverable in a summary manner under the Public Health Act, 1875, may be recovered by parties aggrieved within the meaning of that Act.

If it appears to the Board of Trade by such return or otherwise that the Trustees have failed to pay any instalment or to set apart the sum required by this Order for the sinking fund, or have applied any portion of the moneys set apart for that fund or any interest thereof to any purposes other than those authorised by this Order or the Act of 1756, that Board may by Order direct that a sum not exceeding double the amount in respect of which such default shall have been made shall be set apart and invested as part of the sinking fund, and such Order shall be enforceable by writ of Mandamus, to be obtained by that Board out of the High Court of Justice, and the provisions of this section shall apply, mutatis mutandis, to appropriations and annual repayments.

Application of borrowed money.

31. All money borrowed under the powers of this Order shall be applied only for the purposes of the harbour and works to which capital is properly applicable.

Application of rates and income.

32. The Trustees shall apply all money received by them from the rates, dues, and charges authorised by this Order to the following purposes; (that is to say,)

(1.) In paying the costs of and incidental to the preparation and making of this Order.

(2.) In paying the expenses of the maintenance, management, and regulation of the existing harbour and of the works authorised by this Order, with all buildings, machinery, accesses, roads, and conveniences, and of the lands and property connected therewith.

(3.) In paying year by year the interest of any money borrowed for the purposes of the harbour under this Order, and in providing sums for the repayment of borrowed money by annual appropriations or instalments (if either of such modes of repayment shall be adopted) or in the creation of a sinking fund in manner provided by this Order.

(4.) In paying the costs of the construction of the works and conveniences authorised by this order.

(5.) Subject to and after answering the purposes aforesaid the surplus revenue (if any) shall be applied by the Trustees in payment of money borrowed under this Order and in further improvement of the harbour.

Harbour and works to be deemed within the borough of Poole.

33. The existing harbour and the works authorised by this Order shall in respect of all matters, crimes, or offences arising or committed thereon or within the limits of this Order requiring the cognizance of any justice of the peace, and for all matters of civil and criminal jurisdiction be deemed and taken to be within and as forming part of the borough of Poole in the county of Dorset, and within the jurisdiction of any justice acting within and for the said borough.

Railways Clauses Consolidation Act, 1845, as to damages and penalties incorporated.

34. The clauses of the Railways Clauses Consolidation Act, 1845, with respect to the recovery of damages not specially provided for and of penalties, and to the determination of any other matter referred to justices, shall be incorporated with this Order and the Act of 1756, and such clauses shall apply to the existing harbour as well as the works authorised by this Order and to the Trustees respectively, and shall be construed as if this Order and the Act of 1756 together constituted a special Act within the meaning of those clauses, and as if the word "Trustees" had been inserted therein instead of the word "Company."

Temporary lights on works.

35. Before commencing the works authorised by this Order the Trustees shall apply to the Board of Trade for directions as to the lights to be exhibited, and shall in all respects obey any direction given upon such application, or afterwards from time to time given as to lights by the Board of Trade during the construction of the works; and compliance with the directions so given shall satisfy and be in lieu of every other statutory requirement as to lights during the construction of the works, and the Trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to observe any direction of the Board of Trade as to lights during the construction of the works.

As to lights after completion of works.

36. After completion or permanent discontinuance or abandonment of the works authorised by this Order, the Trustees shall, at the outer extremity of the harbour and works, or the completed portions thereof, or in such other place or places as may be required, exhibit for all or any part of the time from sunset to sunrise, and according to the requirements of the traffic and the season of the year, such light or lights (if any) as shall from time to time be directed by the Corporation of Trinity House, Deptford Strond, and shall apply to that Corporation for directions as to lighting, and the Trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or to obey any direction given.

Provision against danger to navigation.

37. In case of injury to or destruction or decay of the quays or works of the Trustees or any part thereof, the Trustees shall lay down such buoys, exhibit such lights, or take such other means for preventing, as far as may be, danger to navigation, as shall from time to time be directed by the Corporation of Trinity House Deptford Strond, and shall apply to that Corporation for directions as to the means to be taken, and the Trustees shall be liable to a penalty not exceeding ten pounds for every calendar month during which they omit so to apply or refuse or neglect to obey any direction given.

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Powers to cease in certain cases.

38. In the following cases; (that is to say,)

(1.) If within two years from the date of the passing of the Act confirming this Order the works authorised by this Order should not be substantially commenced, or

(2.) If such works, after having been commenced, should be virtually suspended for twelve consecutive calendar months,

the powers by this Order given for executing such works, or otherwise in relation thereto, shall cease to be exercised except as to so much of such works as shall be then completed, unless the time for completion be extended by the special direction of the Board of Trade.

A certificate from the Board of Trade to the effect that the works had not been substantially commenced, or that they have been virtually suspended for twelve consecutive calendar months, shall, for the purposes of this Order, be conclusive evidence of the facts stated in such certificate.

Saving rights under Crown Lands Act, 1866.

39. This Order shall not be taken as a consent to the surrender of any rights, interests, powers, authorities, or privileges transferred to the management of the Board of Trade by the Crown Lands Act, 1866, nor shall any works under this Order be commenced within the limits affected by any such rights, interests, powers, authorities, or privileges without the assent of the Board of Trade having been first obtained.

Saving rights of the Crown.

40. This Order shall not be taken as a consent to the surrender of, nor shall anything in this Order prejudice or affect any property, interest, rights, powers, authorities, or privileges of Her Majesty in right of her Crown which are under the management of the Commissioners of Woods, or either of them.

Costs.

41. All the costs, charges, and expenses of or incidental to the obtaining of this Order, or otherwise incurred in relation thereto, shall be paid by the Trustees.

The SCHEDULE to which the foregoing Order refers.

I.—RATES ON GOODS SHIPPED, UNSHIPPED, OR TRANSMITTED.

(1.) For every ton of goods (except clay or exported bricks) of any sort or kind whatsoever, imported or exported, shipped or unshipped, laden or unladen, in, on, or out of any ship or vessel within the entrance of the little channel leading to the town of Poole, or within the limits of the harbour of Poole eastward of the buoy called the south-west buoy, off the bulwarks of Ham Quay, the sum of fourpence.

(2.) For every ton of clay loaded within the entrance of the little channel within Poole Stakes, leading to the town of Poole, either from the quays or from barges or lighters, the sum of one penny.

(3.) For every ton of bricks exported, shipped, or laden in any ship or vessel within the entrance of the little channel leading to the town of Poole, or within the limits of the harbour of Poole eastward of the buoy called the south-west buoy, off the bulwarks of Ham Quay, the sum of three halfpence.

Provided that the said rates shall not be paid in respect of any goods, wares, or merchandize imported or exported, shipped or unshipped, laden or unladen, at any place outside the limits of the harbour of Poole, although the vessel in which such goods, wares, or merchandize are brought or conveyed, in going to or coming from such place, may enter and pass through the limits of the harbour of Poole without loading or unloading any such goods, wares, or merchandize, but nothing in this proviso contained shall operate to exempt any such vessel from boomage rates.

II.—BOOMAGE RATE ON VESSELS.

For all decked vessels entering, anchoring, mooring, or lying to within the limits of the harbour of Poole the sum of twopence per registered ton.

III.—BALLAST RATES.

For every ton of ballast shipped or unshipped in, to, or out of any ship or vessel, or taken from any quay or wharf within the entrance of the little channel within Poole Stakes, leading to the town of Poole, the sum of sixpence.

Provided that any ship or vessel throwing out or unshipping their ballast at any quay or wharf within the mouth of the little channel within Poole Stakes, leading to the town of Poole, in order to careen, shall only pay for throwing out or unshipping the said ballast the sum of sixpence per ton, and no duty shall be paid for reshipping the same.

Pier and Harbour Provisional Orders (No. 3).

A

B I L L

To confirm a Provisional Order made by the Board of Trade under "The General Pier and Harbour Act, 1861," relating to Poole.

(*Prepared and brought in by Sir Michael Hicks-Beach and Baron Henry de Worms.*)

Ordered, by The House of Commons, *to be Printed,* 7 *May*, 1891.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1½*d.*]

[Bill 324.]

A

B I L L

TO

Regulate dealings in Pig Iron Warrants.

A.D. 1891.

WHEREAS it is expedient to make provision for the restraining of the making of contracts for the sale and purchase by means of warrants of pig iron which is not at the time of the making of such contracts in existence :

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Preliminary.

1. For the purposes of this Act the expression "document of title" shall mean any dock warrant, storekeeper's warrant, maker's scrip, and any warrant or order for the immediate delivery of pig iron, and any other document used in the ordinary course of business as proof of the possession of pig iron, or authorising or purporting to authorise, either by indorsement or by delivery, the possessor of the document to transfer or receive delivery of the pig iron thereby represented.

Provisions as to contracts, &c. for sale of pig iron.

2. From and after the *passing of this Act* all contracts, agreements, and tokens of sale and purchase, made or entered into for the sale or transfer of any pig iron to which any document of title shall be applicable, shall be null and void to all intents and purposes whatsoever, unless such contract, agreement, or token shall specify or incorporate a document of title specifying the name and address of the storekeeper or other person or persons by whom such document was created, the number by which the said document of title is distinguished at the time of the making of such contract, agreement, or token, the date on which such document of title was made, and the brand or quality of the pig iron to which such document of title is applicable; and every person, whether broker, principal, or agent, who shall wilfully insert in such contract, agreement, or other token, or in such document of title any untrue statement in respect of any of the particulars required by this Act

A.D. 1891.

to be specified, shall be guilty of a misdemeanor, and punished accordingly, and, if in Scotland, shall be guilty of an offence punishable by fine or imprisonment.

Penalties.

3. Any person who shall create or issue, or cause to be created or issued, any instrument purporting to be a document of title to pig iron, and shall not have at the time of such creation in his possession, or in the possession of some person on his behalf, the pig iron to which the said instrument purports to relate, shall be guilty of a misdemeanor, and punished accordingly, and, if in Scotland, shall be guilty of an offence punishable by fine or imprisonment.

Short title.

4. This Act may be cited as the Pig Iron Warrants Act, 1891.

Pig Iron Warrants.

A

B I L L

To regulate dealings in Pig Iron Warrants.

(*Prepared and brought in by Mr. Hingley, Mr. Ainslie, and Mr. Isaac Wilson.*)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 23.]

A

B I L L

TO

Confirm a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage district of Bristol. A.D. 1891.

WHEREAS a Provisional Order made by the Board of Trade under the Merchant Shipping Act Amendment Act, 1862, does not take effect unless and until it is confirmed by Act of Parliament: 25 & 26 Vict. c. 63.

And whereas it is expedient that the Provisional Order made by the Board of Trade under the said Act and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Order set out in the schedule to this Act shall be and the same is hereby confirmed, and all the provisions thereof, in manner and form as they are set out in the said schedule, shall from and after the *passing of this Act* take effect and have full validity and force. Confirmation of Order in schedule.

2. This Act may be cited as the Pilotage Orders Confirmation (No. 1) Act, 1891. Short title.

A.D. 1891.

SCHEDULE.

Bristol.

BRISTOL.

Order for Exempting from Compulsory Pilotage, except within the Port of Bristol, Vessels bound to and from that Port.

Short title.

1. This Order may be cited as the Bristol Pilotage Order, 1891.

Bristol Wharfage Act, 1807, and this Order to be read together.

2. The Bristol Wharfage Act, 1807 (forty-seventh George the Third, session two, chapter thirty-three), as amended by this Order, and this Order shall be read and construed together as one Act or Order.

Ships bound to or from Bristol exempt from pilotage, except within the port.

3. Notwithstanding anything contained in the Bristol Wharfage Act, 1807, the masters and owners of all vessels sailing, navigating, or passing up or down the Bristol Channel to or from the port of Bristol, shall be, and they are by this Order exempted from all obligation to be conducted, piloted, or navigated by pilots authorised or licensed by the mayor, aldermen, and burgesses of the city of Bristol, except when within the limits of that port, which limits are as follows; namely, from the westwardmost part of the Flat and Steep Holms, up the course of the Bristol Channel eastward to Aust in the county of Gloucester, and from the said Holms southward athwart the channel to Uphill, and from thence along the coast eastward in the counties of Somerset and Gloucester to Aust aforesaid, and also from Holesmouth in Kingroad up the Avon to the city of Bristol, together with the several pills lying on the said river.

Byelaws, &c. to be construed in accordance with this Order.

4. All existing byelaws, rules, and orders of the mayor, aldermen, and burgesses of the city of Bristol relating to pilotage, shall be read and have effect in accordance with the provisions of the Bristol Wharfage Act, 1807, as amended by this Order.

Pilotage Provisional Orders (No. 1).

A

B I L L

To confirm a Provisional Order made by the Board of Trade under "The Merchant Shipping Act Amendment Act, 1862," relating to the Pilotage district of Bristol.

(Prepared and brought in by Sir Michael Hicks Beach and Baron Henry De Worms.)

Ordered, by The House of Commons, *to be Printed,* 6 *April* 1891.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 262.]

A

B I L L

TO

Confirm certain Provisional Orders made by the Board of Trade under the Merchant Shipping (Pilotage) Act, 1889, relating to Humber and Swansea. A.D. 1891.

WHEREAS a Provisional Order made by the Board of Trade under the Merchant Shipping (Pilotage) Act, 1889, does not take effect unless and until it is confirmed by Act of Parliament: 52 & 53 Vict. c. 68.

And whereas it is expedient that the several Provisional Orders made by the Board of Trade under the said Act and set out in the schedule to this Act be confirmed by Act of Parliament:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The several Orders set out in the schedule to this Act shall be and the same are hereby confirmed, and all the provisions thereof, in manner and form as they are set out in the said schedule, shall from and after the passing of this Act take effect and have full validity and force. Confirmation of Orders in Schedule.

2. This Act may be cited as the Pilotage Orders Confirmation (No. 2) Act, 1891. Short title.

A.D. 1891.

The SCHEDULE of Orders.

1. HUMBER.—Representation of Humber Pilots on the Pilotage Committee of the Hull Trinity House, and on the Humber Pilotage Commission.

2. SWANSEA.—Representation of pilots on the Pilotage Committee of the Swansea Harbour Trustees.

A.D. 1891.

Humber.

HUMBER.

Order providing for the Representation of Pilots on the Pilotage Authorities for the Port of Kingston-upon-Hull and the River Humber.

Short title.

1. This Order may be cited as the Humber Pilotage Order, 1891.

Interpretation.

2. In this Order the following expressions have the meanings assigned to them respectively (that is to say) :—

"The Trinity House" means the wardens, elder brethren, and assistants of the guild or brotherhood of masters and pilots seamen of the Trinity House in Kingston-upon-Hull, commonly called the Corporation of the Trinity House in Kingston-upon-Hull.

"Commissioners" means the commissioners for executing the Act of the second and third years of the reign of King William IV. cap. 105 (herein-after called the Act of 1832), and "Humber pilot" has the meaning by that Act attached to that expression, but does not include a master or mate holding a certificate granted either under section 340 or section 342 of the Merchant Shipping Act, 1854.

"Port" means the port of Kingston-upon-Hull and the port of Great Grimsby in the county of Lincoln and the River Humber below the said port of Kingston-upon-Hull, and so far out at sea as to bring the North Ness of Dimlington on the coast of Holderness to bear or be seen a sufficient distance clear or open of the land to the southward thereof so as to pass clear of a certain sand or shoal called the New Sand, and also so far along the coast to the northward thereof as the said North Ness of Dimlington, and to the southward thereof as a certain point or headland on the coast of Lincolnshire commonly called or known by the name of Donna Nook.

Pilots to elect representatives on Trinity House Pilotage Committee.

3. In the month of July in every year the Humber pilots may and shall, in manner herein-after in this Order provided, elect one person (in this Order called a Trinity House representative) to be a member of the pilotage committee of the Trinity House so long as the members appointed by the Trinity House on that committee are five or less than five in number, and if and whenever the number of members so appointed by the Trinity House shall be increased so as to exceed five, the number of Trinity House representatives to be elected under this section shall be also increased so that their number shall never be less than one-fifth of the number for the time being of the members of the committee appointed by the Trinity House, and the person or persons so elected shall serve on the said committee and be entitled to take part in any proceedings of the said committee in relation to the pilotage of the port in all respects as members of the committee appointed by the Trinity House.

Pilots to elect representative commissioners.

4. In the month of July in every year the Humber pilots may and shall, in manner herein-after in this Order provided, elect six persons (in this Order

A.D. 1891. *Humber.*

called commissioner representatives) to be commissioners, and the persons so elected shall be commissioners, and shall have and enjoy all rights, powers, authorities, privileges, and immunities for the time being vested in or enjoyed by the commissioners, or to which they are entitled.

Rules for election.

5. The representatives to be elected as by this Order provided are to be licensed Humber pilots, or persons who have been licensed Humber pilots, and are to be elected at a meeting of the Humber pilots, which shall take place in the month of July in each year, at a time and place to be advertised by the clerk to the commissioners ten days at least, or in his default by a person to be appointed for the purpose by the Board of Trade five days at least before the day appointed for election in one or more of the newspapers published in the borough of Kingston-upon-Hull. At such meeting the election of the Trinity House representative or representatives shall take place first, and the following rules shall be observed :—

(1.) The mayor of the borough of Kingston-upon-Hull for the time being, or a person nominated by him, shall be the chairman of the meeting and the returning officer, and shall preside and regulate the proceedings at such meeting.

(2.) Every licensed Humber pilot shall be entitled to attend or to be represented at the meeting, and take part and vote in each election of representatives thereat; but this provision is not to authorise attendance to the prejudice of the pilot service.

(3.) Candidates for the office of representatives shall, at such meeting, be nominated and seconded by Humber licensed pilots, and if the number of persons so nominated does not exceed the number of persons to be elected, the persons so nominated shall be deemed to be duly elected; but if the number of persons nominated exceeds the number to be elected, the election shall be decided by the majority of the licensed pilots present or represented at the meeting.

(4.) Every licensed pilot present or represented at any election is to be entitled to as many votes as there are persons to be elected, but is not to give more than one vote for any one candidate.

(5.) Any licensed pilot not present at any election may, by writing under his hand, appoint another licensed pilot as proxy to represent him, provided that all instruments in writing appointing such proxy shall be lodged with the Secretary to the Trinity House or with the clerk to the commissioners, as the case may be, not later than the day preceding the day of the meeting.

(6.) Representatives shall remain in office until the meeting for the election of representatives in the month of July next succeeding their election, and shall then go out of office, but shall be eligible for re-election.

(7.) In the event of two or more candidates at any election having the same number of votes, the chairman of the meeting shall have a casting vote at such election.

(8.) The chairman of the meeting shall, as soon as may be after the election, certify in writing to the secretary to the Trinity House the name or names of the person or persons elected to be the Trinity House representative or

representatives, and to the clerk to the commissioners the names of the persons elected to be commissioner representatives, and all such persons shall thereupon become, in manner by this Order provided, a member or members of the Pilotage Committee of the Trinity House and commissioners, as the case may be. A.D. 1891. *Humber.*

As to casual vacancies.

6. If any vacancy occurs in the number of the Trinity House representatives, including a vacancy caused by increase in the number of members appointed by the Trinity House on the pilotage committee, or if any vacancy occurs in the number of the commissioner representatives under this Order, and whether any such vacancy occurs by death, resignation, or otherwise, it shall be lawful for the commissioner representatives for the time being, by writing under their hands, or under the hands of a majority of them, addressed and delivered to the secretary to the Trinity House, or the clerk to the commissioners, as the case may be, to appoint another person or other persons to be a Trinity House representative or a commissioner representative, as the case may be, and on delivery of such writing to such secretary or clerk, as the case may be, the person or persons so appointed shall be and continue in office as if he or they had been duly elected at the meeting for election held in the month of July immediately preceding his or their appointment.

Vacancy not to affect power of body.

7. A vacancy in the office of any representative under this Order is not in any way to affect the proceedings or powers of the body to which he was elected or appointed as a representative.

Not to act in proceedings affecting them personally.

8. A representative elected or appointed under this Order shall not take any part in any proceedings of the body of which he is a member relating to any question affecting himself personally.

Costs of elections.

9. The costs, charges, and expenses of and preliminary and incidental to elections under this Order shall be paid by the commissioners out of the moneys receivable by the commissioners under the Act of 1832.

Costs of Order.

10. The costs, charges, and expenses of and preliminary and incidental to the preparing for, obtaining, and passing this Order or otherwise in relation thereto, including the confirmation thereof by Parliament, shall be paid as follows; that is to say, one-half is to be paid as to four fifth parts thereof by the Trinity House and one fifth part thereof by the licensed pilots; and the other half is to be paid as to six seventh parts thereof by the commissioners out of the accumulated funds in their hands, and the remaining one seventh part thereof by the licensed pilots.

Reserving general Acts.

11. Nothing in this Order shall exempt the Trinity House or the commissioners or the pilotage districts respectively within their jurisdiction from the provisions of any general Act of Parliament now in force or hereafter to be passed relating to pilotage or pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on shipping, or on goods carried therein, or from any future revision and alteration thereof under the authority of Parliament.

A.D. 1891.

Swansea.

SWANSEA.

Order providing for the representation of Pilots on the Pilotage Committee of the Swansea Harbour Trustees.

Short title.

1. This Order may be cited as the Swansea Pilotage Order, 1891.

Interpretation.

2. The following words and expressions in this Order have the meanings hereby assigned to them respectively, that is to say;—

"The trustees" means such of the Swansea Harbour Trustees as are appointed by the Swansea Harbour Trust to act as the trust members of the pilotage committee for regulating or managing the affairs of the trust as a pilotage authority;

"Committee" means the pilotage committee;

"The trust" means the Swansea Harbour Trustees as constituted under the Swansea Harbour Act, 1854;

"Licensed pilot" means a pilot licensed by the pilotage authority for navigating vessels within the following limits, that is to say, "north of the line of the Nash Lights, in one," and "east of an imaginary line running "north and south of a point four miles westward of the Helwick Light "Vessel placed off the Helwick Shoal, near the Worms Head, in the "county of Glamorgan," but does not include a master or mate of a vessel holding a pilotage certificate granted either under section 340 or section 342 of the Merchant Shipping Act, 1854.

Pilots to be elected on committee.

3. Within twenty-eight days after the second Monday in August, One thousand eight hundred and ninety-one, a meeting, as herein-after provided, shall be held for the election of representatives of licensed pilots, and the persons then elected shall remain in office until the following November, in which month, and thereafter from year to year in November, representatives of licensed pilots may and shall be elected as in this Order provided, and shall remain in office till the November following their election, and the persons so elected may serve on the committee.

Number of pilots' representatives.

4. The persons (herein-after referred to as "pilots' representatives") to be elected under this Order as members of the committee shall be three in number, so long as the trustees do not exceed nine in number; and if, and whenever the number of trustees shall be increased so as to exceed nine, the number of persons to be elected by the licensed pilots shall be increased so that the number elected by them shall never be less than one-fourth of the number for the time being of the committee.

Rules for elections.

5. The pilots' representatives are to be either licensed pilots or persons who have been licensed pilots, to be nominated and seconded as herein-after provided, and they are to be elected at a meeting of the licensed pilots. Such meeting, except the first in August or September, One thousand eight hundred and ninety-one, shall take place in the month of November, and within the first fifteen days of that month, in each year, at a time (before twelve o'clock at noon) and

A.D. 1891.

Swansea.

a place to be advertised by the clerk to the trust ten days at least, or, in his default, by a person to be appointed for the purpose by the Board of Trade, five days at least before the day fixed for the meeting, in one or more newspapers published in the county borough of Swansea. At such meeting the following rules shall be observed with respect to elections :—

1. The clerk to the trust for the time being, or, failing him, a person appointed by the Board of Trade, shall be the chairman of the meeting and the returning officer, and shall preside and regulate the proceedings at such meeting.
2. Every licensed pilot shall be entitled to attend the meeting and take part and vote in the election of pilots' representatives thereat.
3. Candidates for the post of pilots' representatives shall at such meeting be nominated in writing by one and seconded in writing by one other licensed pilot; and if the number of persons so nominated and seconded does not exceed the number of persons to be elected, the persons so nominated and seconded shall be declared to be duly elected, but if the number of persons nominated and seconded exceed the number to be elected the election shall be decided by ballot by the majority of the licensed pilots present or represented at the meeting.
4. The ballot shall remain open from twelve o'clock at noon to four o'clock in the afternoon on the day of the meeting.
5. Every licensed pilot present or represented at the meeting is to be entitled to as many votes as there are persons to be elected, but is not to give more than one vote for any one candidate.
6. Any licensed pilot not present at the meeting may by writing under his hand appoint any licensed pilot as proxy to represent him, provided all instruments in writing being proxies shall be lodged with the clerk to the trust not later than the day preceding the day of the meeting.
7. The pilots' representatives shall remain in office until the election of such representatives in the month of November next succeeding their election, and shall then go out of office, but shall be eligible for re-election.
8. In the event of two or more of the candidates having the same number of votes, the chairman of the meeting is to be entitled to a casting vote.
9. The chairman of the meeting, as soon as may be after the election is determined, shall report in writing the names of the persons so elected to the committee, and such persons shall thereupon become members of the committee.

Representatives not to act in cases affecting themselves.

6. A member of the committee elected under this Order is not to take any part in any proceedings of the committee relating to any question affecting himself personally, as apart from the general body of pilots.

Casual vacancies.

7. If any vacancy shall occur in pilots' representatives by death or resignation, or otherwise, or if by reason of any increase in the number of the trustees after the election of pilots' representatives has been held the number of pilots' representatives on the committee shall be less than is by this Order prescribed, it shall be lawful for the pilots' representatives for the time being by writing under their hands, or under the hands of a majority of them respectively, to appoint another person or other persons to be a member or members of the committee, and the

A.D. 1891.

Swansea.

member or members so appointed shall serve in office as if he or they had been duly elected at the election of representatives held immediately preceding his or their appointment.

Vacancy not to affect proceedings.

8. A vacancy in the office of a representative to be elected under this Order is not in any way to affect the proceedings or powers of the committee.

Costs of elections.

9. The costs, charges, and expenses of and preliminary or incidental to elections under this Order shall be paid by the persons nominated as candidates and consenting to their nomination in equal shares, and the proportion due from each candidate may be recovered by the committee from them as a simple contract debt.

Expenses Order.

10. The costs and charges of or incidental to preparing for, obtaining, and passing this Order, or otherwise incurred in relation thereto, including the confirmation of same by Parliament, shall be paid as follows; that is to say, two-thirds thereof by the trust, and one-third thereof by the licensed pilots.

Reserving general Acts.

11. Nothing in this Order shall exempt the trustees or the committee or the pilotage district within their jurisdiction from the provisions of any general Act of Parliament now in force or hereafter to be passed relating to pilotage or pilotage dues, or to merchant shipping, or to ports, harbours, or docks, or to dues on ships or vessels, or on goods carried therein, or from any further revision or alteration thereof under the authority of Parliament.

Pilotage Provisional Orders (No. 2).

A

B I L L

To confirm certain Provisional Orders made by the Board of Trade under the Merchant Shipping (Pilotage) Act, 1889, relating to Humber and Swansea.

(Prepared and brought in by Sir Michael Hicks-Beach and Baron Henry de Worms.)

Ordered, by The House of Commons, *to be Printed,* 20 *April* 1891.

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[*Price* 1*d.*]

[Bill 286.]

A

B I L L

TO

Provide for the Enfranchisement of Leasehold Places of Worship. A.D. 1891.

WHEREAS it is expedient to afford facilities for the acquisition by religious bodies of the fee simple of their places of worship and premises held therewith:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short title.

1. This Act may be cited as the Places of Worship Enfranchisement Act, 1891.

Trustees may acquire fee simple or reversions.

2. From and after the *passing of this Act* the trustees of a religious body shall have the right to acquire the fee simple of or freehold or other reversion expectant upon the determination of any lease or term under or for which a place of religious worship is held by or for such religious body.

Notice by trustees of intention to acquire fee simple or reversions.

3.—(1.) When the trustees are desirous of acquiring the fee simple or reversion expectant of any place of worship as aforesaid in pursuance of this Act, they shall serve upon the lessor or owner or his agent a notice which may be in the form No. 1 in the schedule to this Act annexed, or to the like effect.

(2.) Within twenty-one days after the service of such notice the lessor or owner shall deliver to the trustees particulars of his interest in the premises specified in such notice and the amount of the purchase money which he claims for the same, which particulars may be in the form No. 2 in the said schedule, or other prescribed form.

(3.) Upon receipt of such particulars the trustees shall serve upon the persons who thereby appear to have a beneficial interest (herein-after called the persons beneficially interested) in the

A.D. 1891.

premises a notice in form No. 3 in the said schedule, or to the like effect, and each of such persons shall within twenty-one days from the date of such service deliver to the trustees notice of his interest in the premises and the amount of purchase money which he claims for the same, which notice may be in the form No. 2 in the said schedule, or other prescribed form.

Purchase by agreement and conveyance.

4.—(1.) The trustees may agree with the lessor or owner or other person beneficially interested and any tenant for life or person having the powers of a tenant for life under any settlement comprising or affecting the premises, to acquire their interests by purchase, or to submit any question touching the same to arbitration under the Arbitration Act, 1889, and in the case of any such tenant for life or person having the powers of a tenant for life it shall not be necessary to obtain the leave or sanction of the High Court of Justice to such agreement, sale, or purchase.

(2.) In the event of such agreement a conveyance of the premises shall be made in the form No. 4 in the said schedule, or as near thereto as circumstances shall permit.

Court may fix purchase money and trustees to pay purchase money into court and obtain certificate.

5. If no such agreement be come to, or where any doubt or difficulty is alleged to exist as to the title of the lessor or owner or other person, the trustees may make an application to the court in the prescribed form, and the court shall be empowered to hear and determine the points of difference between the parties and settle the amount of purchase money to be paid for the purchase of the respective interests of the persons beneficially interested, and then the trustees may, within six months of the service of the notice last mentioned in section three, sub-section (three), of this Act, or within such other time as the court may order, pay into court the amount so settled and give notice of such payment to the persons beneficially interested in the prescribed form; and upon such payment the trustees shall be entitled to a certificate of purchase, to be given by the court, specifying in the prescribed form the proceedings and the payment into court; and such certificate shall operate as a conveyance from the day of its date of the premises to the trustees mentioned in the certificate: And the trustees shall not be liable to any costs or to be made parties to any proceedings relative to the purchase money of the premises after such payment into court.

Distribution of purchase money paid in among parties entitled.

6. On receipt of the said amount the court shall, after notice given in the prescribed manner, distribute the said sum among the persons who shall appear to the court to be entitled thereto, and in such proportions and in such manner as the court may determine.

A.D. 1891.

Rules.

7. Rules for the regulation of the procedure forms and costs under this Act may be made and altered from time to time by the like persons and in the like manner in which rules may be made under and for the purposes of the County Courts Act.

Interpretation of terms.

8. In this Act the following words and expressions shall have the interpretations and meanings in this section assigned to them respectively, unless there be something in the subject or context repugnant to such construction, that is to say,

"Trustees" means the trustees for the time being of the place of public worship, or any other person or persons appointed by a religious body to act as trustees for the purposes of this Act.

"Place of worship," "place of religious worship," and "premises," when referring thereto, shall include any church, chapel, meeting house, school house, manse or minister's house, buildings, lands, or burial ground appurtenant thereto, or held, occupied, or enjoyed therewith.

"Lease" means a lease, underlease, assignment operating as a lease or underlease, or an agreement for such lease, underlease, or assignment, or a yearly or other tenancy, or a conveyance or grant subject to or reserving a perpetual or other rentcharge, whether made or granted before or after the commencement of this Act.

"Tenant for life" and "settlement" have the same meanings respectively as in the Settled Land Acts, 1882 and 1884, and "lessor" or "owner" include tenant for life.

"Person" includes a body of persons, corporate or incorporate.

"Prescribed" means prescribed by rules made in pursuance of this Act, and "rules" includes forms.

"Reversions" includes "remainders."

"Court" means the county court for the district where the place of worship and premises held therewith or any part thereof may be situated.

Application.

9. This Act shall only apply to England and Wales.

A.D. 1891.

SCHEDULE.

FORMS.

FORM No. 1.

Notice of desire to exercise the Powers of the Act.

In pursuance of the provisions of the Places of Worship Enfranchisement Act, 1891, we, , of , and , of , *&c.*, as trustees of the property herein-after mentioned, [*or*, trustees appointed by the religious body known as , for the purposes of the said Act, *or, as the case may be*], do hereby give you notice that we intend to exercise the powers of the said Act and to purchase the reversions of any superior or intermediate lease or interest and the fee simple or freehold reversion in the said property. And we require from you in pursuance of the said Act the following particulars: (1.) In the event of your holding the premises under a lease or leases, (*a*) the date of such lease or leases; (*b*) the term or terms for which the premises are held and the rents reserved; (*c*) the names and addresses of the lessors and their agents, and the person or persons to whom you made the last payment of rent under the said lease or leases; (*d*) and, if the same relates to any other property than that comprised in the lease in respect of which we give this notice, the short particulars and descriptions of such other property. And we require you to state in writing the amount you claim as purchase money for the interests and comprised in the notice in writing so to be given by you. (2.) In the event of your being entitled to the freehold reversion of the said property expectant on the lease or tenancy under which it is now held, viz.: [*state particulars*], we require you to state the particulars of your interest on the said property and the purchase money you claim therefor.

Dated this day of 18 .

A. B.
C. D.

[The short particulars of the property above referred to.]

[*Describe the premises as in the lease or according to the usual description.*]

Form No. 2.

Particulars of Lessor's or Freeholder's Interest, and Price of Sale.

I [*or* we] the undersigned, , of , *&c.*, in reply to your desire to exercise the powers of the Places of Worship Enfranchisement Act, 1891, hereby inform you that the premises mentioned in your said notice were granted, demised, or let by an indenture or agreement, dated, *&c.* , and made between, *&c.* , for years, from , and that the same are held by me [*or* us] under an indenture of , dated the , and made between , for a term of years, from , at a rent or rents of £ per annum, payable , free from all deductions, except income tax [*or, as the case may be*], *or*, that I hold the same in fee simple.

And I [*or* we] claim as purchase money for the freehold reversion expectant upon the termination of the term of years or tenancy now held by you the sum of £ , and as purchase money for the £ per annum payable to me under the lease before mentioned the sum of £ .

Dated this day of 18 .

(Signed) .

Form No. 3.

Notice of desire to exercise Powers of the Act.

Having been informed by , of , *&c.* that the under-mentioned premises are comprised in a lease [*or, as the case may be*], dated, *&c.* [*giving particulars*], and that you are entitled as lessor to the rents and profits of such premises, and to the freehold reversion expectant on the determination of the said lease, we hereby inform you that on the day of , in pursuance of the Places of Worship Enfranchisement Act, 1891, we sent a notice in writing (a copy of which is enclosed herewith) to the lessor or owner under whom the under-mentioned premises are held, and pursuant to the said Act, we require you within one calendar month from the date hereof to deliver to us in writing a notice in writing stating the following particulars:—

1.
2. } [*Copy remainder of Notice from Form* 1.]

A.D. 1891.

FORM NO. 4.

Form of Conveyance.

I [*or* we], , of , *&c.*, in consideration of £ paid to me [*or* us] by *A. B.* of , and *C. D.* , of , *&c.*, pursuant to the Places of Worship Enfranchisement Act, 1891, as beneficial owner[s], hereby convey to the said *A. B. &c.* All [*description of premises*]:

To hold the same unto the said *A. B. &c.* in fee simple according to the true intent and meaning of the said Act. In trust for the religious body known as .

[*Add covenants to produce deeds if required*].

In witness whereof, I [*or* we] have hereunto set my hand and seal this day of 18 .

(L.S.)

Places of Worship Enfranchisement.

A

B I L L

To provide for the Enfranchisement of Leasehold Places of Worship.

(*Prepared and brought in by Mr. Samuel T. Evans, Mr. Halley Stewart, Mr. James Rowlands, Mr. Lloyd-George, Mr. Bryn Roberts, Mr. Waddy, and Mr. Randell.*)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price 1d.*]

[Bill 8.]

Places of Worship (Sites) Bill.

ARRANGEMENT OF CLAUSES.

Clause.
1. Short title.
2. Extent.
3. Purposes.
4. Acquisition of sites otherwise than by consent.
5. Requisition.
6. Memorial to court.
7. Procedure on memorial.
8. Conveyance.
9. Excess or deficiency of deposit.
10. Informalities.
11. Interpretation.

A

B I L L

TO

Give further facilities for the acquisition of Sites for Places of Worship. A.D. 1891.

WHEREAS by the Places of Worship Sites Act, 1873, and the Places of Worship Sites Amendment Act, 1882, provision is made for enabling persons having limited interests in land and others to grant sites for places of religious worship and other similar purposes: 36 & 37 Vict. c. 50. 45 & 46 Vict. c. 21.

And whereas it is expedient to make further provision with respect to the acquisition of sites for places of religious worship:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Places of Worship Sites Act, 1891, and this and the recited Acts (in this Act referred to as "the principal Acts") may be cited together as the Places of Worship Sites Acts, 1873 to 1891. Short title.

2. This Act, and the principal Acts as amended by this Act, shall for the purposes of this Act only apply to England. Extent.

3. The provisions of this Act shall extend to any of the purposes of the principal Acts, except the acquisition of a site for a burial place, and the provisions of this Act and of the principal Acts shall also extend to the acquisition of land for the enlargement of any site acquired or to be acquired for any of the said purposes, with the like exception. Purposes

4. A site for a place for any of the purposes to which the provisions of this Act extend, may be acquired under this Act otherwise than by consent in the manner and subject to the conditions herein specified. Acquisition of sites otherwise than by consent.

A.D. 1891.

Requisition.

5. A requisition in writing must be served on the owner and occupier or reputed owner and occupier of the proposed site. The requisition must be accompanied with a plan showing the proposed site, and must specify the religious denomination for whose use the site is required, and must purport to be signed by not less than twenty inhabitant householders resident in the parish in which the site is situate, or in some adjoining parish or parishes. The provisions of the schedule to this Act as to the form and mode of service of the requisition shall be observed.

Memorial to court.

6. Upon the expiration of six months after service of the requisition as aforesaid, a memorial may be presented to the council (as hereinafter defined) signed by any two or more of the persons who signed the requisition. The memorial must be accompanied with a copy of the requisition and plan, and must show that the memorialists have failed to obtain the proposed site by consent, and that not less than twenty-one days notice of intention to present the memorial has been served in the manner and on the persons by this Act prescribed with reference to service of the requisition. The memorial shall be lodged with the clerk of the council (as hereinafter defined), and with the memorial there shall be lodged the sum of *one hundred pounds*, or such security for that sum as the officer approves.

Procedure on memorial.

7. The council to which a memorial is presented as aforesaid shall appoint a time for the hearing of the memorial, and may cause such notices to be given to such persons as it thinks fit, and may take such evidence in such manner as it thinks fit upon oath or otherwise, and may direct an inspection or survey of the site, and shall hear and determine the matter of the memorial in such manner as it thinks fit, and may make an order for the acquisition of the site or any part thereof with or without any conditions, or may dismiss the memorial, or adjourn the hearing from time to time.

In determining the matter of a memorial the council shall have regard to all the circumstances of the case, and in particular shall consider whether the site is bonâ fide and reasonably required for the religious accommodation of the denomination for whose use it is required, and whether any undue injury will be caused to other property owned or occupied by the owner or occupier of the site, and shall give its determination in writing, which shall be kept among the records of the council.

If the council makes an order for the acquisition of the site it shall specify in the order the person or persons to whom the conveyance of the site is to be made, and the purchase money or compensation to be paid for the same, and the costs or expenses (if any) to be

paid to or by any person or persons promoting or opposing the memorial. A.D. 1891.

Conveyance.

8. Within six months after an order is made as aforesaid the person or persons to whom the conveyance is ordered to be made, or any person or persons substituted by order of the council, upon paying into the council the amounts mentioned in the order or the balance thereof (if any) beyond the amount deposited with the memorial, and on performance of any conditions mentioned in the order in this behalf, may execute and lodge with the council a deed poll in a form approved by the council, by virtue whereof the site so ordered to be conveyed shall vest in such person or persons on the trusts and subject to the other conditions specified in the deed, and such deed shall have effect and the purchase money or compensation shall be applied and dealt with as if the site had been voluntarily granted or conveyed under the principal Acts by the person or persons having power under those Acts to grant or convey the same.

In cases to which the first section of the Places of Worship Sites Amendment Act, 1882, applies, an order under this Act may be made without the consents required by that section, but the council may require notice to be given to and shall take into consideration any objection made by any body or person whose consent would under that section be required.

Excess or deficiency of deposit.

9. The balance, if any, of the sum lodged with the clerk of the council on deposit of a memorial under this Act, after satisfying any costs or other charges thereon, shall be returned to the person or persons lodging the same.

In case the sum lodged is insufficient to meet the costs payable by the persons promoting the memorial, the council may make an order for payment of the excess by all or any of such persons as it thinks just, and any order of the council under this Act for payment of money by any person may be enforced in any manner in which any order of the council for payment of money can be enforced.

Informalities.

10. No act, document, or proceeding under this Act shall be avoided by any formal defect or informality in procedure, or by any failure to comply with any of the requirements of this Act or of the schedule hereto as to the form, signature, contents, or service of a requisition or memorial, but the council may direct such amendments to be made and notices given as it thinks just.

Interpretation.

11. In this Act the expression the "council" means the council as established by the Local Government (England and Wales) Act, 1888, having jurisdiction at the place where the proposed site

A.D. 1891.

is situate. The expression "inhabitant householder" means any person for the time being on any register of parliamentary voters for the parliamentary county, division, or borough in which the proposed site or any part thereof is situate. The word "parish" has the same meaning as in the Acts relating to the relief of the poor.

SCHEDULE.

(1.) A requisition may be in the following form or to the like effect:—

We, the undersigned members of the denomination of (*here insert usual designation of the particular religious denomination*), being on the register of parliamentary voters for the (*here insert the parliamentary county, division, or borough*), request you in pursuance of the Places of Worship Sites Acts, 1873 to 1891, to grant the site shown on the annexed plan as a site for a place of religious worship for the above-mentioned denomination.

(Signed)

Dated

(*Note.*—The name of the parish or township in which each person signing the requisition resides must be inserted.)

(2.) A requisition must be served either personally or by registered letters addressed to the usual place of abode or business of the owner or reputed owner and of the person, if any, for the time being rated to the poor rate as occupier of the proposed site. If any such owner or person cannot be found, such service or notice may be substituted as any justice of the peace directs by writing under his hand.

Places of Worship (Sites).

A

B I L L

To give further facilities for the acquisition of Sites for Places of Worship.

(*Prepared and brought in by Mr. John Ellis, Mr. Broadhurst, Mr. Burt, Mr. M'Arthur, and Mr. Henry Wilson.*)

Ordered, by The House of Commons, *to be Printed*, 27 *November* 1890.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* 1*d.*]

[Bill 115.]

A

B I L L

TO

Amend the Poisoned Flesh Prohibition Act, 1864. A.D. 1891.

WHEREAS it is expedient to extend the provisions of the Poisoned Flesh Prohibition Act, 1864:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Extension of provisions of s. 2 of 27 & 28 Vict. c. 115.

1. The provisions of the second section of the Poisoned Flesh Prohibition Act, 1864, shall apply not only to flesh or meat, but to all animal substances which have been mixed with, or steeped in, or impregnated with poison or any poisonous ingredient so as to render such animal substances poisonous and calculated to destroy life.

Construction and short title.

2. This Act shall be construed as one with the Poisoned Flesh Prohibition Act, 1864, and may be cited as the Poisoned Flesh Prohibition Amendment Act, 1891.

Poisoned Flesh Prohibition Act (1864) Amendment.

A

B I L L

To amend the Poisoned Flesh Prohibition Act, 1864.

(*Prepared and brought in by Mr. Francis Stevenson, Mr. Herbert Gardner, Mr. Newnes, Mr. Channing, and Mr. Buxton.*)

Ordered, by The House of Commons, *to be Printed*, 26 *November* 1890.

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JOHN MENZIES & Co., 12, Hanover Street, Edinburgh, and 21, Drury Street, Glasgow; or
HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 76.]

Police Forces (Ireland) Bill.

ARRANGEMENT OF CLAUSES.

Clause.

1. Military character of force to be altered.
2. Chief Secretary to make rules for equipment as a civil force.
3. To be lettered and numbered according to the location of service.
4. May be suspended by stipendiary or two justices for misconduct.
5. Suspension to be reported to commissioners.
6. Shadowing.
7. Constable or police officer incapacitated for twelve months to be a stipendiary or justice of the peace.
8. Order of superior not to justify illegal acts.
9. Short title.

A

B I L L

FOR

The better Regulation of the Police Forces in Ireland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Military character of force to be altered.

1. From and after the *passing of this Act* the Dublin police, the constabulary force, and any other police or constabulary force existing or established in Ireland shall cease to be a force armed or equipped as such force with rifles, revolvers, swords, or bayonets, or with any military or warlike arms, or any weapons of offence or defence other than such as are commonly used and employed in the police or constabulary forces of England and Wales.

Chief Secretary to make rules for equipment as a civil force.

2. Subject to the foregoing provision, and for the carrying out of the same and the other provisions in this Act contained, the Chief Secretary to the Lord Lieutenant of Ireland shall make such rules as may be necessary or expedient with regard to the government, accoutrement, clothing, and regulation of the police forces in Ireland, and all such rules shall be binding upon all whom they may concern, and copies of all such rules shall be laid before both Houses of Parliament within six weeks after the making thereof, if Parliament be then sitting, and if Parliament is not then sitting, within six weeks after the next meeting of Parliament.

To be lettered and numbered according to the location of service.

3. The constables within each city or county, or each division of a county where, for purposes of police administration, a county is divided into two or more separate police districts, whether urban or rural, shall, whilst serving in such police districts, form a distinct section or branch of the force to be described, designated, and known by the name of such county, division, city, or borough, or other police district, and shall have such designation, or some contraction or initial signifying the same, together with a number denoting the individual, affixed or attached in a conspicuous place

A.D. 1891.

on the collar of the dress or uniform of each member of the said force under the rank of a sub-inspector, and upon the removal or transfer of any constable or sub-constable so numbered and initialed from one county, division, city, or borough, or police district to any other county, division, city, or borough, or other police district, a corresponding alteration shall be made in the lettering and numbering by which the officer so removed or transferred shall be known and designated.

May be suspended by stipendiary or two justices for misconduct.

4. Any stipendiary or resident magistrate, or any two justices of the peace in petty sessions, may suspend any constable whom they find guilty of any offence punishable by imprisonment, or any gross misconduct, or breach or neglect of his duty as a constable, and upon such suspension, shall report the same to the inspector-general of the constabulary for Ireland, and upon such suspension, and until the same has been adjudicated upon on such report, all powers vested in him as such constable shall cease and remain suspended.

Suspension to be reported to commissioners.

5. The magistrate or justices suspending any constable by virtue of the powers in the last section conferred shall, within one week of such suspension, report the same and the cause thereof to the inspector-general of constabulary, who shall thereupon inquire into the same, and dismiss, remove, suspend, reduce, or otherwise deal with such constable as the good order of the force and the justice of the case may require.

Shadowing.

6. No police officer or constable shall, except for the purpose and in the course of making a legal arrest or apprehension of a person upon a charge justifying arrest without warrant or upon a warrant duly authorising such arrest, shall pursue, follow about, shadow, or otherwise beset, molest, or interfere with any person in the Queen's peace, and against whom or for the apprehension of whom he is not furnished with and in the possession of such warrant as aforesaid; and any constable or police or constabulary officer, or person acting or purporting to act as such, who shall so shadow, beset, or follow about any person without such authority or warrant as herein provided, or, having such warrant, fails upon the demand of the person so shadowed or beset to produce and read the same, and to desist from such shadowing or molestation, shall be guilty of a misdemeanor, and liable upon conviction thereof to a punishment of not exceeding *six months* imprisonment with hard labour.

Constable or police officer incapacitated

7. No person holding the commission or appointment of a constable or constabulary officer shall within twelve months of

the time of ceasing to hold such commission or appointment be qualified to hold or to be appointed to the commission of the peace, or the office of stipendiary or resident magistrate or commissioner under or for the administration of the Criminal Law and Procedure Act, 1887, anything in the second and third Victoria, chapter seventy-five, section fourteen, to the contrary notwithstanding.

for 12 months to be a stipendiary or justice of the peace.

8. No act of a police constable in itself a breach of the peace, or an act done in derogation of the right of public meeting or of the freedom of the press, unless where the same is done under proper and sufficient legal warrant, shall be held justified or justifiable on the ground that the same was done under superior orders, nor shall any commitment or prosecution for any such act, if criminal, be barred or superseded or put a stop to by nolle prosequi, nor shall the constable or constables by whom such acts are done be exempted from legal liability or proceedings, either civil or criminal, unless where done under the authority of a legal warrant issued to such constable by competent authority, and which such constable shall have in his possession at the time of executing the same, and which, if required, such constable shall produce and read to the person whom he is about to interfere with or arrest, or whose house he proposes to enter, or whose goods he proposes to seize or remove.

Order of superior not to justify illegal acts.

9. This Act may be cited as the Police Forces (Ireland) Act, 1891.

Short title.

Police Forces (Ireland).

A

B I L L

For the better Regulation of the Police Forces in Ireland.

(*Prepared and brought in by Dr. Commins, Mr. Maurice Healy, Mr. Hayden, Mr. Kilbride, Mr. Roche, Mr. Crilly, Mr. Harrison, and Mr. Sheehy.*)

Ordered, by The House of Commons, *to be Printed*, 28 *November* 1890.

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[*Price* 1*d.*]

[Bill 128.]

A

B I L L

INTITULED

An Act to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to Forfar Water. A.D. 1891.

WHEREAS Her Majesty's Secretary for Scotland has made the Provisional Order set forth in the schedule hereunto annexed under the provisions of the General Police and Improvement (Scotland) Act, 1862; and it is necessary that the said Order shall be confirmed by Parliament: Preamble. 25 & 26 Vict. c. 101.

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Provisional Order contained in the schedule hereto annexed shall be and the same is hereby confirmed. Confirmation of Provisional Order.

2. This Act may be cited as the Forfar Water Order Confirmation Act, 1891. Short title.

[Bill 365.]

A.D. 1891.

Forfar Water.

SCHEDULE.

Provisional Order relating to Forfar Water.

Whereas by the General Police and Improvement (Scotland) Act, 1862, (herein-after called "the Act of 1862"), it is, inter alia, provided (clause seventy-nine) that whenever it appears desirable to the magistrates and council or commissioners of police of any royal or parliamentary burgh, or to the commissioners for executing the Act of 1862 in any burgh, that provision should be made in order the better to apply and execute therein the provisions of that Act in whole or part, or for the future application and execution of any Acts in force therein, having relation to the purposes of the Act of 1862 or to any other matter or thing connected with the management and administration of the municipal or police affairs of such burgh, or that any such Acts, or any exemptions from rating therefrom derived, should be wholly or partially repealed or altered, the magistrates and council, or the commissioners of such burgh, may present a petition to one of Her Majesty's Principal Secretaries of State praying for such provision, repeal, and alteration as aforesaid, or for any of such things, and that after such inquiry as the said Secretary of State may direct it shall be lawful for him to issue a Provisional Order under his hand and seal of office in relation to the several things mentioned in such petition, either in accordance with the prayer thereof, or with such modifications or alterations as may appear to him to be requisite, and to obtain confirmation of such Provisional Order by Act of Parliament:

And whereas by the Secretary for Scotland Act, 1885, all powers and duties vested in or imposed on one of Her Majesty's Principal Secretaries of State by the Act of 1862 were transferred to, vested in, and imposed on the Secretary for Scotland:

And whereas clauses seventy-nine to eighty-three, both inclusive, of the Act of 1862 have, in pursuance of the provisions of that Act, inter alia, been adopted in the royal burgh of Forfar:

And whereas the provost, magistrates, and town council of the said royal burgh as commissioners of police thereof (herein-after called "the commissioners") have presented a petition to me setting forth that by the Forfar Water Act 1878 (herein-after called "the Act of 1878") they were authorised to make and maintain reservoirs, aqueducts, and other works, and take lands, and also to take and divert waters into such reservoirs, and by means of their aqueducts, reservoirs, and other works to convey, appropriate, and use such waters for the purposes of the Act of 1878, which included a supply of water for domestic and other purposes within the burgh of Forfar, and also so much of the parishes of Forfar and Glamis as is beyond that burgh; and that they were empowered to borrow from time to time on mortgage at interest all such sums as they should think requisite for the purposes of the Act of 1878, not exceeding in the whole fifty thousand pounds, on the security of the rates and charges leviable by them under the provisions of that Act, and to mortgage the same

accordingly; that the commissioners acquired the lands and rights of wayleave necessary for and have executed the whole of the works authorised by the Act of 1878, with the exception of the aqueduct, conduit, or line of pipes, being work number two described in and authorised by section eleven of that Act, and have, in the acquisition of such lands and rights of wayleave, and in the execution of the works so constructed by them, and in defraying other necessary charges and expenses in connection therewith, borrowed and expended the whole amount of fifty thousand pounds which they were authorised to borrow under the Act of 1878, and in addition thereto have incurred debts and liabilities in relation to the said works which they cannot meet unless they are enabled to borrow additional money; that since the said works were executed the town of Forfar has increased in size, and new streets have been and are being formed necessitating extensions of the water mains and pipes of the commissioners, and that it has become necessary that powers be conferred on them to borrow additional money to meet the cost of extensions already made and the said debts and liabilities, and also to provide for the cost of further extensions of their mains and pipes:

And whereas it has been represented to me in the said petition that it is expedient and necessary that the commissioners should be authorised to borrow an additional sum of twelve thousand pounds upon the security of the rates and charges leviable by them under the Act of 1878, and that with that object that Act should be altered and amended:

And whereas due inquiry having been directed and held in respect of the matters mentioned in the said petition, I have resolved to issue a Provisional Order in the terms herein-after expressed:

Now, therefore, in pursuance of the powers contained in the Act of 1862 and transferred to and vested in me by the Secretary for Scotland Act, 1885, I, as the Secretary for Scotland, do by this Provisional Order, under my hand and seal, direct as follows:—

1. From and after the passing of the Act confirming this Order the forty-seventh section of the Act of 1878 shall be read as if the words "sixty-two thousand pounds" had been inserted therein instead of the words "fifty thousand pounds," and the fifty-ninth section of the Act of 1878 shall be construed as if the costs, charges, and expenses of and incident to the preparing for, obtaining, and confirming this Order, or otherwise in relation thereto, were part of the costs, charges, and expenses for the payment of which provision is made by that section.

2. All mortgages granted by the commissioners for securing money borrowed under the provisions of the Act of 1878, and subsisting at the passing of the Act confirming this Order, shall, during the continuance of such mortgages, have priority over all mortgages to be granted by the commissioners under the provisions of the Act of 1878 as amended by this Order for securing money borrowed after the passing of the Act confirming this Order.

Given under my hand and seal at Whitehall this twenty-ninth day of April one thousand eight hundred and ninety-one.

L.S.

Lothian.

Police and Improvement (Scotland) Provisional Order (Forfar Water).

[H.L.]

A

B I L L

INTITULED

An Act to confirm a Provisional Order under the General Police and Improvement (Scotland) Act, 1862, relating to Forfar Water.

(*Brought from the Lords* 15 *June* 1891.)

Ordered, by The House of Commons, *to be Printed*, 15 *June* 1891.

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HODGES, FIGGIS, & Co., 104, Grafton Street, Dublin.

[*Price* ½*d.*]

[Bill 365.]

A

B I L L

FOR

Placing the Police of the Metropolis under the control of the Ratepayers.

A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows :

Short title.

1. The title of this Act shall be the Metropolitan Police Act, 1891.

Transfer of metropolitan police to London County Council.

2. On the *first day of January one thousand eight hundred and ninety-two* the powers, duties, and liabilities vested in Her Majesty's Principal Secretaries of State, in the Commissioners of Her Majesty's Treasury, in the Commissioners of Her Majesty's Works and Public Buildings, and in the Commissioner of Police for the Metropolis by the Acts set out in the First Schedule to this Act shall be transferred to the London County Council, and, save as is herein-after provided, the London County Council shall have, on and after the said *first day of January*, the sole control and management of the metropolitan police force.

Transfer of officers.

3. All persons employed in or about the execution of the powers and duties transferred by virtue of the provisions of this Act to the London County Council shall, from and after such transfer, be attached to and under the control of the London County Council. The officers so attached shall in other respects hold their offices and places upon the same terms and conditions, and shall have the same powers, privileges, and immunities with respect to the performance of their duties, as if this Act had not passed.

Commissioner, &c. to be appointed by London County Council.

4. Whenever after the *passing of this Act* there shall be a vacancy in the office of Commissioner, assistant commissioner, or receiver of the police of the metropolis, it shall be filled by the London County Council, who shall have power to fix the salary and

A.D. 1891.

the duties of such office, any enactments to the contrary notwithstanding.

Accounts.

5. From and after the *thirty-first day of March one thousand eight hundred and ninety-two* the accounts of the metropolitan police force shall no longer be laid before Parliament in obedience to the enactments set out in the Second Schedule to this Act, and the said enactments are hereby repealed.

County Council may act by a committee.

6. The London County Council may by resolution delegate all or any of the powers conferred upon it by this Act to a committee.

Protection of public buildings.

7. Notwithstanding the provisions of any Act passed in the present session of Parliament for enabling one of Her Majesty's Secretaries of State to establish and control a police force for the protection of public buildings and of Her Majesty's dockyards and for other purposes specified in the said Act, and to pay for the same out of moneys to be provided for that purpose by Parliament, it shall be lawful for the Commissioner of Police for the time being to employ and authorise to act in the protection of public buildings, and in such other ways and for such other purposes as the orders and regulations herein-after mentioned shall specify, such number of constables belonging to the metropolitan police force as the Secretary of State for the Home Department shall from time to time direct, and the said Secretary of State may from time to time frame such special orders and regulations in relation to the duties of the constables so employed, either in addition to or in substitution for any of the orders and regulations for the time being applicable to the metropolitan police force, as he may deem expedient. *The charges and expenses which may be incurred by and in consequence of the employment of constables under the provisions of this section, and the pay of such constables while so employed, and a fair and reasonable proportionate part of the expenses of the general superintendence of the police, and of any deficiency which there may at any time happen to be in the Metropolitan Police Superannuation Fund, and all other charges and expenses for carrying this section into execution, shall be paid out of such moneys as may be provided by Parliament for this purpose.*

Provision respecting county of Middlesex.

8. If the Middlesex County Council shall, within six months of the *passing of this Act*, determine that a separate police force for the county of Middlesex ought to be established, the standing joint committee of the said county shall thereupon immediately proceed to establish a sufficient police force for the said county, and for that purpose shall declare the number of constables they propose should be appointed and the rates of pay which it would be expedient to

pay to the chief and other constables, and shall forthwith report their proceedings to one of Her Majesty's Principal Secretaries of State; and upon the receipt from the Secretary of State of such rules as are mentioned in section three of the Act for the establishment of county and district constables, 1839, all the provisions of the said Act, and of any Acts amending or altering the same, shall take effect and be applicable to the said county and the said joint standing committee, in like manner as by the said Acts provided, upon the adoption of such Acts for any county by the justices thereof and the receipt of such rules as aforesaid from the Secretary of State. The said joint standing committee shall, unless some date be agreed upon between it and the London County Council, give three months notice in writing of the date upon which their police force will be established, and on and from the date so agreed upon or notified the said joint standing committee shall be responsible for and have the sole control and management of the police force for the county of Middlesex.

Provision respecting Croydon and West Ham.

9. If the town council of the borough of Croydon, or the town council of the borough of West Ham, within six months of the *passing of this Act* shall determine that a separate police force ought to be established for their borough, it shall at once proceed to the election of a watch committee in accordance with the provisions of the Municipal Corporations Act, 1882, and all the provisions of the said Act shall thereupon take effect and be applicable to the said borough. The watch committee so appointed shall, unless some date be agreed upon between it and the London County Council, give three months notice in writing of the date upon which its police force will be established, and on and from the date so agreed upon or notified the said watch committee shall be responsible for and have the sole control and management of the police force of their borough.

Provision with respect to counties included in in present metropolitan police district.

10. The London County Council shall, within six months of the *passing of this Act*, by notice in writing call upon each of the joint standing committees of all counties, except Middlesex, in which rates for the maintenance of the metropolitan police force are then levied to take into its management and control the portions of such counties then forming part of the metropolitan police district, but outside the area of the administrative county of London. The London County Council shall, unless some date be agreed on between it and each of the said joint standing committees, give three months notice in writing of the date when they propose such districts shall be transferred, and on and from the dates so agreed

A.D. 1891.

upon or notified each of the said joint standing committees shall be responsible for and have sole control of the police force for the said portions of the said counties.

Transfer of constables.

11. Subject to any arrangements which may be agreed upon between the London County Council and each of the said joint standing committees or watch committees, all constables of the metropolitan police force who on the dates of establishment or transfer as aforesaid are stationed within the area of any of the said counties or boroughs shall on and from such dates become members of the police force of the county or borough within whose area they are stationed, provided that such arrangements as aforesaid shall not lessen the status, pay, or rights of any constables so transferred; and provided also that all constables so transferred shall hold their appointments upon the same terms and conditions as if this Act had not passed, and while performing the same duties shall receive not less salaries or remuneration, and be entitled to not less pensions, than they would have if this Act had not passed.

Superannuation Fund.

12. The areas which under the provisions of this Act cease to be part of the metropolitan police district shall contribute towards the annual deficiency in the Metropolitan Police Superannuation Fund (until such deficiency shall cease to exist) in the proportion which the rateable value of each of the said areas bore to the whole of the rateable value of the metropolitan police district on an average of the *seven years* previous to the *passing of this Act*, and such proportionate sum shall be levied and paid as though it were a police rate levied and paid under the provisions of the Metropolitan Police Acts.

Transfer of property.

13. All property of the metropolitan police force within the area of the said counties and boroughs shall, on the dates of establishment or transfer as aforesaid, be transferred by the receiver of the metropolitan police force to the treasurers of such counties or boroughs at the first cost thereof, after deducting therefrom a sum in the same proportion to the total thereof as the rateable value of the said county or borough bore on the average of the seven years previous to the passing of this Act to the rateable value of the whole of the metropolitan police district.

Arbitration.

14. If any dispute shall arise between the London County Council and any joint standing committee or watch committee in reference to anything arising out of or connected with the said establishments or transfers, the same shall be referred to the arbitration of some person to be agreed upon between them, or in default thereof to be

named by the Secretary of State for the Home Department, whose award in writing shall be final and conclusive. A.D. 1891.

15. From and after the dates of such establishments or transfers as aforesaid, the metropolitan police rate shall cease to be levied in any such county, part of county, or borough, provided that up to the said dates the metropolitan police rate shall be levied as heretofore. Police rate.

FIRST SCHEDULE.

10 Geo. 4. c. 44.
2 & 3 Vict. c. 47.
19 & 20 Vict. c. 2.
23 & 24 Vict. c. 135.
24 & 25 Vict. c. 51.
24 & 25 Vict. c. 124.
31 & 32 Vict. c. 67.
38 & 39 Vict. c. 28.
47 & 48 Vict. c. 17.
48 & 49 Vict. c. 68.
50 & 51 Vict. c. 45.

SECOND SCHEDULE.

10 Geo. 4. c. 44. s. 29.
2 & 3 Vict. c. 47. s. 9.
30 & 31 Vict. c. 39. s. 1.

Police (Metropolis).

A

B I L L

For placing the Police of the Metropolis under the control of the Ratepayers.

(*Prepared and brought in by Mr. James Rowlands, Mr. Cremer, Mr. Beaufoy, Mr. Howell, Mr. Pickersgill, Mr. James Stuart, Mr. Causton, and Mr. Lawson.*)

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[*Price* 1*d.*]

[Bill 173.]

A

B I L L

FOR

The better Preservation of the Pollen Fisheries in Ireland. A.D. 1890.

WHEREAS the laws relating to the fisheries of Ireland do not sufficiently provide for the preservation of the pollen fisheries thereof:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Application of Act.

1. This Act shall not apply to England or Scotland.

Short title and construction.

2. This Act may be cited for all purposes as the Pollen Fisheries (Ireland) Act, 1891, and shall be construed together with the Salmon Fisheries Act now in force in Ireland, and be incorporated therewith.

Pollen under certain size not to be taken.

3 From on and after the *passing of this Act* it shall be illegal to take pollen of less size than seven inches in length, measured from the nose to the utmost extent of the tail, and any person wilfully taking, killing, destroying, buying, selling or exposing for sale, sending, or having in his custody or possession any pollen of less size than that herein-before mentioned shall forfeit *one shilling* for every such fish so taken, killed, destroyed, bought, sold, or exposed for sale, sent, or in his possession or custody, together with the forfeiture of all such fish; and all persons empowered to enforce the provisions of the said Salmon Fishery Acts shall be and are hereby empowered to seize all such pollen.

Exception of pollen caught or kept for certain purposes.

4. Nothing in this Act contained shall apply to any person who shall catch or attempt to catch or shall have in his possession such pollen for scientific purposes.

Constabulary, water bailiffs, and others

5. It shall be lawful for all officers and men of the constabulary and for all persons empowered to enforce the provisions of the Salmon Fishery Acts, to open and examine all baskets and boxes

A.D. 1890.

Empowered to open and examine baskets and boxes.

and other packages containing fish, whether at railway stations, docks or quays, markets, stores, fishing places, or any other places whatsoever for the purposes of enforcing the provisions of this Act and of the said Acts: Provided that none of the parties hereby authorised to open and examine such baskets, boxes, and other packages shall be liable for any damage caused by such opening and examining, unless the same shall be done wantonly and maliciously.

Constabulary, water bailiffs, and others empowered to stop and search boats on salmon rivers.

6. All officers and men of the constabulary, and any inspectors, water bailiffs, or other officers appointed under the said Acts, acting within the limits of his district, may do all or any of the following things in addition to all other powers or duties conferred on him by the said Acts or this Act (that is to say):—

(1.) Stop and search on any river, lake, or estuary or part of the sea coast, any boat, barge, corach, or other vessel used in fishing, or which there is reasonable cause to suspect contains any pollen, and seize any fish, instrument of fishing or other articles forfeited in pursuance of the said Acts or this Act; and any person refusing to allow any such boat, barge, corach, or other vessel to be stopped and searched, or resisting or obstructing any such inspector, water bailiff, or other officer in any such search, shall for every such offence be liable to a penalty not exceeding *five pounds* and not less than *two pounds*.

(2.) Search and examine all nets, baskets, bags, hampers, boxes, or other instruments used in fishing or in carrying fish by persons whom there is reasonable cause to suspect of having possession of fish illegally caught; seize all fish and other articles forfeited in pursuance of the said Acts or this Act. Any person refusing to allow any nets, baskets, bags, hampers, boxes, or other instruments used in fishing or in carrying fish to be searched or examined, or resisting or obstructing any such inspector, water bailiff, or other officer in any such search or examination, shall for every such offence be liable to a penalty not exceeding *five pounds* and not less than *two pounds*.

Water bailiff's warrant sufficient authority.

7. The production by the water bailiffs or other officer of the instrument of his appointment, executed in the manner prescribed by this Act, shall be a sufficient warrant for any water bailiff or other officer exercising the authorities given to him under the said Acts or this Act.

A.D. 1890.

Proof of validity of warrant.

8. All appointments by any board of conservators made in pursuance of the said Acts of any treasurer, clerk, inspector, water bailiffs, or other officer shall be prepared and printed in such form as the said inspectors of Irish fisheries shall prescribe, or from time to time think necessary to adopt; and shall be stamped with the seal of such board, and signed by not less than three members thereof. And in all cases where it shall hereafter become necessary to prove any such appointment in any court of law or justice, or elsewhere, the production of such appointment purporting to be sealed with the seal of such board shall be deemed and taken as full and sufficient evidence of such appointment.

Constabulary and other officers to carry out and enforce this Act, and Fishery Acts now in force.

9. All officers and men of the constabulary, and all other officers and persons appointed to carry out and enforce the provisions of the Salmon Fisheries Act, now in force, shall also be empowered to carry out and enforce the provisions of this Act, and the Fishery Acts now in force.

Recovery of penalties.

10. All penalties imposed by this Act shall be recovered and applied in manner in which penalties under the said Acts are recoverable and applicable.

Pollen Fisheries (Ireland).

A

B I L L

For the better Preservation of the Pollen Fisheries in Ireland.

(*Prepared and brought in by Mr. Macartney and Mr. O'Neill.*)

Ordered, by The House of Commons, *to be Printed,* 26 *November* 1890.

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[*Price* ½*d.*]

[Bill 91.]

Poor Law Bill.

MEMORANDUM.

The following are the main objects of the Bill :—

PART I. is simply preliminary.

PART II.

To abolish *ex-officio* guardians, the property qualification for guardians, and both the plural vote and owners vote (under which by the present law a man can have 12 votes) in the election of guardians (clauses 7, 8, 15, 16). To enable all occupiers and permanent lodgers to vote (clause 9), and remove certain disqualifications (clauses 10, 11). It provides that elections shall be by ballot, and the mode of nomination shall resemble that in municipal elections (clauses 13, 14, 17), and also provides for a registration officer and for making claims to vote (clauses 17–23). Owners may be required to send lists of occupiers who pay rates indirectly (clause 19). In contested elections the poll is to be by ballot and open till 9 p.m. (clause 25). Guardians are to be elected triennially (clause 27). Casual vacancies are to be filled up by the guardians from the ratepayers nominees (clause 30).

PART III.

This will empower the guardians to appoint, control, and dismiss their own officers (clause 33), and in many ways enlarge their powers. Books are to be provided with the view of relieving the tedium of the workhouse, especially in the "idle room," where the old people sit (clause 35), and the guardians may improve the dietary (clause 36). Larger powers for useful employment are given both with reference to those in receipt of relief and with a view of preventing pauperism. Special provision is made for certain aged poor of good character as "State pensioners." These are to have out relief, or in exceptional cases separate and better treatment in the workhouse, or in almshouses (clauses 40–44). Property left to the poor for almshouses is not to be diverted

by the Charity Commissioners or court, and restitution is to be made in certain cases of diversion (clauses 45, 46).

Casual paupers, or destitute wayfarers, are to be discharged earlier, and to receive improved treatment. Certain tasks sanctioned by the Local Government Board, viz., picking four pounds of oakum, or nine hours pumping, are reduced. Females are not to be ordered to pick oakum (clauses 47–49). Clause 50 is intended to abolish trifling surcharges, and clause 51 to take away an inducement to guardians to refuse out relief in cases where it should be given.

There are by the present law *seven* modes of obtaining a settlement. It is proposed by clause 52 to reduce them to residence only, and to make three months residence sufficient. (Bill of 1882, No. 194, proposed to reduce residence to one year.) Removal is abolished except in cases of Scotch, Irish, &c. (See Report of Select Committee, 1879, No. 282.) Seaports are protected. Questions between parishes as to settlement, &c. are to be decided finally by an arbitrator to be appointed by the Local Government Board, instead of being expensively litigated in the courts.

Poor Law Bill.

ARRANGEMENT OF CLAUSES.

PART I.

PRELIMINARY.

Clause.

1. Short title.
2. Extent of Act.
3. Division of Act into parts.
4. Definitions and construction.
5. Application of Act.
6. Commencement of Act.

PART II.

ELECTION OF GUARDIANS.

7. Ex-officio guardians abolished.
8. Guardians qualification.
9. Occupiers and lodgers franchise.
10. Immediate qualification obtained.
11. Nonpayment of rates.
12. Medical and temporary relief no disqualification.
13. Nomination of guardians.
14. Relation of nomination to election.
15. One man one vote.
16. Property votes abolished.
17. Ballot.
18. Registration officer.
19. Proof of right to vote. Penalties on overseers and owners neglecting duty.
20. Claim to vote.
21. Appeal.

Clause.
22. Claim on day of election.
23. Supplementary lists.
24. Lists conclusive of right to vote. Questions.
25. Regulations as to election.
26. Penalty for neglect of registration officer.
27. Triennial elections.
28. Elections under local Acts, &c.
29. Casual vacancies.
30. Casual vacancies to be filled up by guardians from ratepayers nominees.
31. Tenure on casual vacancy.
32. Combination of parishes.

PART III.

RELIEF OF POOR: WORKHOUSES AND ALMSHOUSES.

33. Appointment of officers.
34. Relief in kind.
35. Books in workhouse.
36. Paupers dietary.

Employment.

37. Employment of paupers by guardians.
38. Work by poor for poor.
39. Employment for paupers, &c. by local authorities.

State Pensioners.

40. Poor of good character to be State pensioners.
41. Out relief for poor of good character.
42. State pensioners in workhouse.
43. State pensioners in almshouses.
44. Degradation of State pensioners for misconduct.

Endowed Almshouses.

45. Endowed almshouses to be preserved.
46. Restitution of almshouse property.

Casual Paupers.

Clause.
47. Detention.
48. Earlier discharge.
49. Reduction of task.

Audit and Grants in aid.

50. Audit.
51. Grants in aid.

Settlement and Removal.

52. Settlement and removal.

THE SCHEDULE.

Rules as to nominations in elections of guardians.

Note.—It is intended that the marginal notes in square brackets shall be omitted at later stage.

A

B I L L

TO

Amend the Poor Law. A.D. 1890.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

PART I.

Preliminary.

1. This Act may be cited as the Poor Law Reform Act, 1891. Short title.

2. This Act shall not extend to Scotland or Ireland. Extent of Act.

3. This Act is divided into parts, as follows: Division of Act.

Part I. Preliminary.
Part II. Election of guardians.
Part III. Relief of poor: workhouses and almshouses.

4.—(1.) In this Act, if not inconsistent with the context, the following words and expressions have the meanings herein-after expressly assigned to them; that is to say,— Definitions and construction.

The expression "prescribed" means prescribed by the Local Government Board.

The words "officer," "overseer," "owner," "poor," and "workhouse" shall have the same meaning as in the Poor Law Amendment Act, 1834, and the Acts amending the same. 4 & 5 W. 4. c. 76. s. 109.

"Union" means a poor law union.

(2.) This Act shall be construed with the Poor Law Amendment Act, 1834, and the subsequent Acts amending, explaining, or extending the same.

5. This Act shall apply to unions and boards of guardians already constituted, as well as to those hereafter to be constituted. Application of Act.

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Commencement of Act.

6. This Act shall come into operation on the *first day of January one thousand eight hundred and ninety-* , except where otherwise provided.

PART II.

ELECTION OF GUARDIANS.

Ex-officio guardians abolished. 4 & 5 W. 4. c. 76. s. 38. *Ib.* s. 54.

7. No justice of the peace shall be an ex-officio guardian, or be entitled as such to act as member of any board of guardians, or to order any overseer to give any relief or to give any order for medical relief.

Guardians qualification. 4 & 5 W. 4. c. 76. s. 38. 30 & 31 Vict. c. 106. s. 4.

8. The qualification for being elected as guardian shall consist in being rated to the poor rate of some parish or parishes of the union, but no special amount of rental or rateable value shall be required, and a woman, whether married or single, shall if qualified as aforesaid be eligible as guardian.

Occupiers and lodgers franchise.

9.—(1.) Every occupier of a rateable hereditament and any lodger in a rateable hereditament, whose name is as such lodger on the parliamentary register of electors, shall, for the purposes of this Act, be deemed rated for such hereditament, and shall be qualified to vote in the election of guardians and to be elected a guardian.

(2.) This section shall apply, although the landlord of such hereditament or lodgings pays, or agrees in any manner to pay, or compounds or agrees to compound for the rates, and whether such rates or compositions are paid or unpaid.

Immediate qualification obtained. 4 & 5 W. 4. c. 76. s. 40.

10. A person shall be deemed a ratepayer as soon as he becomes liable to be rated, or the occupier of a rateable hereditament, or in case of a lodger, as soon as his name is on the said register, and shall be qualified to vote in the election of guardians, and to be elected a guardian accordingly.

Nonpayment of rates. 4 & 5 W. 4. c. 76. s. 40.

11. No person shall be disqualified from voting or being elected on account of nonpayment of any rates or assessments.

Medical and temporary relief no disqualification. 39 & 40 Vict. c. 61. s. 4.

12. No person shall be disqualified from voting in the election of a guardian in consequence of being in the receipt of medical relief, or of having been in receipt of any kind of relief for any period less than three months continuously, during the year last preceding such election, whether such relief is or was given to himself or his wife or child.

Nomination of guardians.

13. Any person entitled to vote for any parish, united parishes, or ward, may nominate for the office of guardian of such parish,

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united parishes, or ward, himself or any other qualified persons not exceeding the number of guardians to be elected. Such nomination shall be conducted in accordance with the rules in the First Schedule hereto, and subject thereto in the prescribed manner. [Corporations Act, 1882, s. 51.]

Relation of nomination to election.

14.—(1.) If the number of valid nominations exceeds that of the vacancies the guardians shall be elected from among the persons nominated.

(2.) If the number of valid nominations is the same as that of the vacancies, the persons nominated shall be deemed to be elected. [Municipal Corporations Act, 1882, s. 56.]

(3.) If the number of valid nominations is less than that of the vacancies, the persons nominated shall be deemed to be elected, and such of the retiring guardians for the parish, united parishes, or ward as were highest on the poll at their election, or if the poll was equal or there was no poll, as are selected for that purpose by the board of guardians, shall be deemed to be re-elected to make up the required number.

(4.) If there is no valid nomination the retiring guardians shall be deemed to be re-elected.

(5.) If an election is uncontested, the returning officer shall publish a list of the persons elected at the prescribed time and in the prescribed manner. [Municipal Corporations Act, 1882, s. 57.]

One man, one vote. [See Municipal Corporations Act, 1882, s. 58. (3).]

15. Every person entitled to vote for any parish, united parishes, or ward, may give one vote (and no more) for any number of candidates, not exceeding the number of any vacancies therein, but in the case of a parish divided into wards, no person may vote for more than one ward.

Property votes abolished.

16.—(1.) In the election of guardians no owner of property shall be entitled as such to any vote, and no person shall be entitled to any additional votes by reason of the amount of his rating.

4 & 5 W. 4. c. 76. s. 40. 7 & 8 Vict. c. 101. s. 14.

(2.) Section forty of the Poor Law Amendment Act, 1834, and section fourteen of seven and eight Victoria, chapter one hundred and one, are hereby repealed as far as regards the election of guardians.

Ballot.

17. In all cases of a contested election of guardians, the votes shall be given or taken and returned by ballot as herein-after provided.

Registration officer.

18.—(1.) Some officer to be appointed and paid by the guardians (herein-after called the registration officer) shall, at the prescribed time before each election and in the prescribed form and manner, prepare, make, and publish a list of persons entitled to vote at such

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election. Such officer shall be registration officer for the whole union, but shall not be at liberty to act in that capacity for any other union.

(2.) In case of a first election of a newly constituted board of guardians, such person as shall be prescribed shall be the registration officer.

Proof of right to vote.

19.—(1.) All persons who appear by the overseers rate books or by the said parliamentary register to be entitled to vote, shall conclusively be deemed to have such right, and their names shall be placed on the list accordingly; except that where any person shall, to the knowledge of the registration officer, have died before he makes up the said list, the name of such deceased person may be omitted.

(2.) The registration officer shall have authority to require production of, and to take copies of, all the overseers rate books in the union, and to require list of occupiers from owners, such as the overseers may require under the provisions of the Poor Rate Assessment and Collection Act, 1869, section nine, in any case he may think fit to do so.

32 & 33 Vict. c. 41.

Penalties on overseers and owners neglecting duty.

(3.) Any overseer refusing or neglecting to produce any rate book or to allow such registration officer to take copies thereof, and any owner who, after request in writing by the registration officer, wilfully omits to deliver such a list to the registration officer when required in writing to do so, or wilfully omits therefrom or wilfully misstates the name of any occupier, shall, in the case of any overseer, for such refusal or neglect, and in the case of any owner, for every such omission or misstatement, be liable on summary conviction to a penalty not exceeding *two pounds*.

(4.) Regulations may be made by the Local Government Board allowing overseers a reasonable remuneration out of the common fund of the union for entering in the rate books the names of persons who are not directly rated but whose names ought to be entered thereon.

Claim to vote.

20.—(1.) Any person who claims to be entitled to vote may, in the prescribed form and manner and within the prescribed time, deliver his claim to the registration officer, who shall allow or disallow his claim.

(2.) And all persons whose claims shall be so allowed shall be entitled to vote accordingly.

Appeal.

21.—(1.) Any person so claiming whose claim shall be disallowed by the registration officer may appeal in the prescribed time, form, and manner to a committee of the guardians appointed by the

guardians, and consisting of not less than one third of their number, whose decision shall be final as to the right of the claimant to vote. A.D. 1890.

(2.) This section shall not apply to a first election of a newly constituted board of guardians.

Claim on day of election.

22. For the purpose of deciding claims the registration officer, or his deputy shall during the whole time of the election (except when absent for necessary refreshment) be present in some convenient place near every place where the ballot is taken for the purpose of hearing and deciding on claims to vote, which may be then and there made without any previous notice, and his decision so given shall be final without any appeal to the committee of guardians.

Supplementary lists.

23.—(1.) The registration officer shall, in the prescribed manner, make a supplementary list of persons entitled to vote after he has decided upon the claims made previously to the day of election, and the committee of guardians have decided upon the appeals made to them, or the period for such appeal has expired; and he shall supply a copy of the first and supplementary list to the returning officer. He or his deputy shall also, in the prescribed manner, certify to the returning officer or his deputy the right to vote of those persons in favour of whose claims to vote he or his deputy has on the day of the election decided.

(2.) In the case of a first election of a newly constituted board of guardians, this section shall have effect as if all reference to the committee of guardians and appeal were omitted.

Lists conclusive of right to vote.

24.—(1.) The returning officer or his deputy shall accept the votes of those persons whose names are on the said lists or so certified to him as aforesaid.

Questions. [Municipal Corporations Act, 1882, s. 59.]

(2.) Provided that at an election of guardians the returning officer or his deputy shall, if required by two persons themselves entitled to vote in such election, or by a candidate or his agent, put to any person offering to vote at the time of his presenting himself to vote, but not afterwards, the following question or either of them:—

(*a.*) Are you the person named in this list as follows [read the whole entry from the list or supplementary list]?

(*b.*) Have you already voted at the present election [add in case of an election for several wards in this or any other ward]?

(3.) The vote of a person required to answer either of these questions shall not be received until he has answered it.

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(4.) If any person wilfully makes a false answer thereto he shall be guilty of a misdemeanor.

Regulations as to election.

25. The Local Government Board may make regulations respecting the duties of the returning officer and his deputies and the expenses of the election and the number of polling places, and may do and make regulations respecting all such things as appear to them necessary or proper for carrying into effect this part of this Act, whether preliminary or incidental to such election, and for applying to such election any enactments existing before the *passing of this Act* respecting offences at the election of guardians, and may revoke or alter any previous order under this section. Provided as follows :—

(*a.*) The clerk to the guardians or his deputy shall be the returning officer, except that in case of a first election of a newly constituted board of guardians, such person as shall be prescribed shall be the returning officer.

(*b.*) In case of a contested election the votes shall be taken by ballot, and the said regulations shall provide for the application to such election of the Ballot Act, 1872, including the provisions for punishing offences.

(*c.*) The poll shall be held on one day only, and shall close at *nine o'clock* in the evening, and shall be open for at least the period from *five* to nine o'clock in the evening.

(*d.*) The returning officer shall not vote, except in the case of an equality of votes between any candidates, in which case he shall have a casting vote.

(*e.*) Any ballot boxes, instruments, fittings, and compartments provided by any public authority for parliamentary, municipal, or school board elections, or belonging to any public authority for the purpose of elections, shall be lent to the returning officer, on his request, for the purpose of an election of guardians under such conditions, and either free of charge or for such reasonable charge, as may be prescribed by regulations under this section.

(*f.*) The returning officer may use, free of charge, for the purpose of an election under this section and for the use of the registration officer, any room in a school receiving a grant out of moneys provided by Parliament, and any room the expense of maintaining which is payable out of any rate in the parish, but he shall make good any damage done to the room, and defray any expense incurred by the person or body of persons, corporate or incorporate, having control over the room on account of its being so used.

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Penalty for neglect of registration officer. [See 32 & 33 Vict. c. 41. s. 19.]

26.—(1.) If any registration officer negligently or wilfully and without reasonable excuse omits the name of any person entitled to vote from any such list as aforesaid, or wilfully misstates any name therein, such officer shall, for every such omission or misstatement, be liable on summary conviction to a penalty not exceeding *five pounds*.

(2.) This section shall not apply where the registration officer has received a claim and has bonâ fide disallowed it.

Triennial elections. 4 & 5 W. 4. c. 76. s. 38.

5 & 6 Vict. c. 57. s. 10.

27.—(1.) The term of office of guardians elected after the commencement of this Act shall, where the elections are now annual, be *two years* longer than before the *passing of this Act*.

(2.) Any reference in any Act of Parliament to the annual election of guardians, or to their year of office, shall have effect and be read as if made to the triennial election of guardians and their three years of office.

Elections under local Acts, &c. 4 & 5 W. 4. c. 76. s. 41. [This section is repealed, Stat. Law Rev. Act, 1874, as far as relates to 22 G. 3. c. 83. (Gilbert's Act), which is itself repealed. Chitty, Vol. V., p. 74.]

28.—(1.) Elections of guardians and others under the Poor Law Amendment Act, 1834, shall hereafter, as far as the Local Government Board shall direct, be made and directed according to the provisions of this Act.

(2.) The proviso in the said section contained shall have effect as if the words "owners of property and" were omitted therefrom.

Casual vacancies.

29. If any casual vacancy in the office of a guardian occurs by reason of death, resignation, disqualification or otherwise, a qualified person may be nominated as on an ordinary election of guardians. But otherwise the above provisions with reference to the election of guardians shall not apply, except so far as they may be prescribed.

Casual vacancies to be filled up by guardians from ratepayers nominees.

30.—(1.) If the number of valid nominations exceeds that of the vacancies, the board of guardians of the union shall elect from among the persons nominated.

(2.) If the number of valid nominations is less than that of the vacancies, the persons nominated shall be deemed to be elected, and the remainder of the vacancies shall be filled up by the said board of guardians.

(3.) The election by the guardians shall be conducted in the prescribed manner.

Tenure on casual vacancy. [33 & 34 Vict. c. 75. schedule, Part I., Art. 17.]

31. The member chosen to fill up a casual vacancy shall retain his office so long only as the vacating member would have retained the same if no vacancy had occurred.

Combination of parishes.

32.—(1.) The guardians of any union may, with the sanction of the Local Government Board, combine two or more parishes within their union for the purpose of election of guardians. Provided that

A.D. 1890.

the consent of the vestry of each parish so to be combined shall have been previously given, and that by the census last before such proposed combination the entire population of the parishes so to be combined shall not exceed three thousand.

(2.) From and after such combination, such combined parishes shall be and become one parish for the purpose of election of guardians.

PART III.

Relief of Poor: Workhouses and Almshouses.

Appointment of officers. [See Municipal Corporations Act, 1882, s. 17.] See s. 4 above. 4 & 5 W. 4. c. 76. ss. 46 and 48. As to audit, see 42 Vict. c. 6.]

33.—(1.) The guardians may from time to time appoint such officers as are usually appointed in workhouses or in the administration of relief, or as the guardians think necessary, and may at any time discontinue the appointment of any officer appearing to them not necessary to be re-appointed.

(2.) They may appoint and dismiss officers and regulate their salaries, without the sanction or direction of the Local Government Board, and the Local Government Board shall cease to have any authority with reference to directing the appointment, or to the appointment, security, dismissal, salaries, or duties of any such officers.

[Municipal Corporations Act, 1882.]

(3.) The guardians shall require every officer appointed by them to give such security as they think proper for the due execution of his office, and shall allow him such remuneration as they think reasonable.

(4.) This section shall not authorise the guardians to dismiss, without the consent of the Local Government Board, any person whom before the passing of this Act they could not have dismissed without such consent.

Relief in kind.

34. The guardians shall not be bound to give any out relief in kind but may give the same wholly in money.

Books in workhouse.

35. It shall be the duty of the guardians to supply books and periodicals for the use of the inmates of the workhouse.

Paupers dietary. See s. 36.

36. The dietary for paupers and State pensioners (herein-after defined) ordered, or hereafter to be ordered, by the Local Government Board shall be the minimum dietary, but the guardians may supply any better dietary which they may think fit. Provided always, that this section shall not authorise the guardians to supply any intoxicants.

Employment.

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Employment of paupers by guardians.

37. Subject to prescribed regulations the guardians may carry on any trade or business for the purpose of giving useful employment to paupers and State pensioners.

Work by poor for poor.

38. The guardians may, in addition to other relief, give any produce of employment of paupers or State pensioners to paupers or State pensioners in receipt of out relief.

Employment of paupers, &c. by local authorities.

39.—(1.) Subject to prescribed regulations, the guardians may arrange with local authorities for performance of the following works by applicants for out relief, viz.:—

(*a.*) Spade husbandry on sewage farms, laying out of open spaces, recreation grounds, and new cemeteries;

(*b.*) Cleaning of streets not usually undertaken by local authorities;

(*c.*) Laying out and paving new steeets;

(*d.*) Paving of unpaved streets and making of footpaths;

(*e.*) Providing or extending sewerage works, and works of water supply;

(*f.*) Any other work for the public benefit;

and may pay the whole or any part of their wages to such applicants.

State Pensioners.

Poor of good character to be State pensioners.

40. Poor persons of the age of *sixty years* and upwards who shall, in the opinion of the guardians of the union where they seek relief, be deserving and of good character, and have been rendered destitute through ill-health, accident, misfortune, or some other cause not being their own fault, and shall have resided not less than *three years* in such union immediately before seeking such relief without having during such three years, received any relief (other than medical relief) shall be called "State pensioners."

Out relief for poor of good character.

41. It shall be the duty of the guardians to give such out relief as they shall think adequate to State pensioners, for themselves and (if necessary) for their wives and children, except in cases where the guardians shall be of opinion that it would be for the benefit of any State pensioner that he should be relieved in the workhouse or in manner herein-after provided, or except any State pensioner prefers to come into the workhouse.

State pensioners in workhouse.

42. The guardians shall be at liberty in the case of State pensioners relieved in the workhouse—

(1.) To provide them with accommodation wholly or partly separate from paupers,

A.D. 1890.

(2.) To permit them to wear any suitable apparel, which may be provided for them free of expense to the ratepayers, instead of pauper dress.

(3.) To give them such liberty of egress and ingress as to the guardians may seem fit.

(4.) Afford them such other amelioration as may be prescribed.

State pensioners in almshouses.

43. Subject to such regulations as may be prescribed the guardians may provide almshouses for State pensioners, and either—

(1.) Allot to them rooms therein and give them out relief; or

(2.) Provide for them therein as though such almshouses were part of the workhouse; and the laws and regulations respecting workhouses and persons relieved therein and the officers thereof shall (so far only as may be prescribed) be applicable to such almshouses, persons relieved therein, and the officers thereof.

In either case the guardians may permit the wife and child of a State pensioner to reside with him in such almshouse.

Degradation of State pensioners for misconduct.

44. In case of a State pensioner becoming intoxicated, or being guilty of any other misconduct, or breaking or omitting to comply with any rule or regulation affecting him, the guardians may degrade him, or may temporarily suspend him from being a State pensioner, but may restore him, if or when they think fit, to his former position of State pensioner.

Endowed Almshouses.

Endowed almshouses to be preserved.

45. After the *passing of this Act* it shall not be lawful for the Charity Commissioners, or the Education Department, or any court of law, to divert, or prepare or approve of any scheme for diverting, property which was given or left for, or is held upon trust for, or is used for almshouses or the support or maintenance of persons in almshouses, or for gratuitous habitation of poor persons, to any other purpose whatsoever.

Restitution of almshouse property.

46. Where by any scheme property which at the time of the passing of such scheme, or within *twenty years* before the passing thereof, was held upon trust for or was used for any of the purposes mentioned in the previous section has been diverted or ordered to be diverted to any other purpose, and the whole or part of such property has not been actually used for such other purpose, it shall be the duty of the Charity Commissioners within three months after the *passing of this Act*, to make a scheme for

restoring such property, or such unused part thereof, to such purposes as it was used for immediately before such scheme was passed. A.D. 1890.

Casual Paupers.

Detention.

47.—(1.) The guardians shall not be bound to detain any casual pauper unless they think fit.

(2.) If they detain any casual pauper during Sunday they shall permit him to leave the ward for not less than two hours on that day at such time as they shall think fit, and provide him with books or papers.

Earlier discharge. 45 & 46 Vict. c. 36. s. 4.

48. A casual pauper shall, if he has performed the work prescribed for him, be entitled to discharge himself at *seven o'clock* in the morning instead of nine o'clock in the morning.

Reduction of task. [Regulations dated 18th December 1882. Glen's Poor Law Orders, 10th edit. 866.]

49.—(1.) So much of the regulations of the Local Government Board as prescribe as a task which may be given to a casual pauper for each entire day of detention—

As regards males, the picking of two pounds of unbeaten or eight pounds of beaten oakum, or nine hours work in pumping; and

As regards females, the picking of two pounds of unbeaten or four pounds of beaten oakum;

is hereby declared null and void, and it shall be the duty of the Local Government Board to make known to all boards of guardians this annulment.

(2.) The Local Government Board shall not hereafter authorise as a task for any male casual pauper more than six hours pumping, or the picking of three pounds of unbeaten or six pounds of beaten oakum, for each entire day of detention, and shall not authorise the picking of oakum as a task for any female casual pauper.

(3.) In case of any pauper being required to pick oakum the guardians shall provide him with a suitable nail or other instrument for picking the same.

Audit and Grants in aid.

Audit.

50.—(1.) Where on any audit of the accounts of any guardians it appears that any sum or sums not in the whole exceeding *five pounds* has or have been paid by order of the guardians in such a manner that but for this provision the same would have been disallowed or some person surcharged, the same shall not be disallowed, and no person shall be surcharged.

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Grants in aid.
See 51 & 52 Vict. c. 41, s. 43 (2).

51. For the purpose of any grant in aid of rates, State pensioners and deserving widows and their children in receipt of outdoor relief shall be reckoned as indoor paupers.

Settlement and Removal.

Settlement and removal.

52.—(1.) No settlement shall be acquired except by residence.

(2.) Any person resident in any parish for the term of three months shall be deemed to be settled in such parish until he shall acquire a settlement in some other parish by residence, and any person who is not settled in any other parish shall be deemed to be settled in whatever parish he may happen to be.

[See Report of Select Committee, 1879, No. 282.]

(3.) No poor person shall be removed by virtue of any order or warrant of removal from the parish or place where such person shall be to the place of his last legal settlement if the same is in England or Wales.

11 & 12 Vict. c. 110.

(4.) The power of recovering payment for relief given to any poor person having a fixed place of abode in some parish in case of accident, bodily casualty, or sudden illness occurring to him in some other parish, shall apply to the case of persons landing in a destitute condition in any seaport and applying for relief within three days of such landing.

(5.) All questions arising with reference to the settlement or chargeability of any poor person, and with reference to the repayment by any union or parish both as to liability or amount, shall be decided finally by some person appointed in the prescribed manner; but this shall not authorise any disallowance of out relief on the ground that relief in the workhouse should have been given instead.

SCHEDULE.

A.D. 1890.

Rules as to Nominations in Election of Guardians.

1. Every candidate for the office of guardian must be nominated in writing.

2. The writing must be subscribed by two persons qualified to vote for the parish, united parishes, or ward as proposed and seconded, and by three other persons similarly qualified to vote as assenting to the nomination: Provided that in parishes where the population by the last census for the time being is less than five hundred, the subscription of the proposer and seconder shall suffice.

3. Each candidate must be nominated by a separate nomination paper, but the same persons or any of them may subscribe as many nomination papers as there are vacancies to be filled but no more.

4. In this schedule "proper officer" and "proper place" shall mean such officer and place as may be appointed by the guardians, or in default of such appointment such as may be subscribed.

5. The nomination paper must state the surname and other names of the candidate, with his abode and description.

6. The proper officer shall provide nomination papers, and shall supply any person entitled to vote with as many nomination papers as may be required, and shall, at the request of any such person, fill up a nomination paper.

7. Every nomination paper subscribed as aforesaid must be delivered by the candidate or his proposer or seconder at the proper place seven days at least before the day of election, and before five o'clock in the afternoon of the last day for delivery of nomination papers.

8. The proper officer shall forthwith send notice of every such nomination to each candidate.

9. The proper officer shall attend at the proper place on the day next after the last day for delivery of nomination papers for a sufficient time between the hours of two and four in the afternoon, and shall decide on the validity of every objection made in writing to a nomination paper.

10. Where a person subscribes more nomination papers than there are vacancies to be filled, his subscription shall be inoperative in all those delivered after the proper number subscribed by him have been delivered.

11. Each candidate may, by writing signed by him, or if he is absent from the United Kingdom then his proposer or seconder may by writing signed by him, appoint a person (in this schedule referred to as the candidate's representative) to attend the proceedings before the proper officer on behalf of the candidate, and this appointment must be delivered to the proper officer

A.D. 1890.

before five o'clock in the afternoon of the last day for delivery of nomination papers.

12. Each candidate and his representative, but no other person except for the purpose of assisting the proper officer, shall be entitled to attend the proceedings before the proper officer.

13. Each candidate and his representative may, during the time appointed for the attendance of the proper officer for the purposes of this schedule, object to the nomination paper of any other candidate for the parish, united parishes, or ward.

14. The decision of the proper officer shall be given in writing, and shall, if disallowing an objection, be final, but, if allowing an objection, shall be subject to reversal on proceedings questioning the election or return.

15. The proper officer shall, at least four days before the day of election, cause the surnames and other names of all persons validly nominated with their respective abodes and descriptions, and the names of all persons subscribing their nomination papers as proposers or seconders, to be printed and fixed on the proper office, and in the case of a ward election in some conspicuous place in the ward.

16. The nomination of a person absent from the United Kingdom shall be void, unless his written consent, given within one month before the day of his nomination in the presence of two witnesses, is produced at the time of his nomination.

17. Where the number of valid nominations exceeds that of the number of vacancies, any candidate may withdraw his candidature, by notice signed by him and delivered at the proper place not later than two o'clock in the afternoon of the day next after the last day for delivery of nomination papers: Provided that such notice shall take effect in the order in which they are delivered, and that no such notice shall have effect so as to reduce the number of candidates ultimately standing nominated below the number of vacancies.

Poor Law.

A

B I L L

To amend the Poor Law.

(*Prepared and brought in by*
Mr. Alfred Thomas, Sir Walter Foster,
Mr. Abraham, and Mr. Conybeare.)

Ordered, by The House of Commons, *to be Printed,*
27 *November* 1890.

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[Bill 121.]

A

B I L L

TO

Enable Women to act as Poor Law Guardians in Ireland. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Women to be eligible as poor law guardians.

1. Any female person having the qualifications which make male persons eligible to be guardians of the poor in Ireland, shall be eligible to be elected and to act as such guardian of the poor in Ireland, notwithstanding anything contained in the Acts for the relief of the destitute poor in Ireland or in any Act altering or amending the same, or in any other Acts, to the contrary.

Short title.

2. This Act may be cited as the Poor Law Guardians (Ireland) Qualification of Women Act, 1891.

[Bill 282.]

Poor Law Guardians (Ireland) (Qualification of Women).

A

B I L L

To enable Women to act as Poor Law Guardians in Ireland.

(*Prepared and brought in by Mr. T. W. Russell, Mr. Thomas Dickson, Mr. Lea, and Mr. Johnston.*)

Ordered, by The House of Commons, *to be Printed*, 14 *April* 1891.

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[Bill 282.]

A

B I L L

TO

Amend the Law relating to Outdoor Relief of the Poor in Ireland. A.D. 1891.

WHEREAS by an Act passed in the tenth year of the reign of Her Majesty, chapter thirty-one, section ten, it is provided that no person who shall be in the occupation of any land of greater extent than the quarter of a statute acre shall be deemed and taken to be a poor person under the provisions of an Act passed in the second year of the reign of Her Majesty, chapter fifty-six, for the more effectual relief of the destitute poor in Ireland, or of the Acts amending the same:

And whereas by an Act passed in the twenty-fifth and twenty-sixth years of the reign of Her Majesty, chapter eighty-three, section two, the said provision of the said Act has been repealed so far as relates to relief within the workhouse:

And whereas it is expedient that section ten of the said Act, passed in the tenth year of the reign of Her Majesty, should be absolutely repealed:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Repeal of s. 10 of 10 & 11 Vict. c. 31.

1. From and after the *passing of this Act*, and notwithstanding anything contained in the second section of the Act passed in the twenty-fifth and twenty-sixth years of the reign of Her Majesty, chapter eighty-three, the tenth section of the said Act passed in the tenth year of the reign of Her Majesty, chapter thirty-one, shall be and the same is hereby repealed.

Short title.

2. This Act may be cited as the Poor Relief (Ireland) Act, 1891.

[Bill 223.]

Poor Relief (Ireland).

A

B I L L

To amend the Law relating to Outdoor Relief of the Poor in Ireland.

(*Prepared and brought in by Sir John Pope Hennessy, Mr. Sexton, Mr. Penrose Fitzgerald, Mr. Matthew Kenny, and Mr. Addison.*)

Ordered, by The House of Commons, *to be Printed*, 18 *February* 1891.

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[*Price* ½*d.*]

[Bill 223.]

Possession of Game Bill.

MEMORANDUM.

In 1889, on an appeal from the decision of a metropolitan police magistrate, the Lord Chief Justice and Mr. Justice Manisty differed as to whether the "birds of game" prohibited by an Act passed in 1831 from being sold more than ten days after the commencement of the close time, included game imported from abroad or not. The case being then reheard before the Lord Chief Justice, Mr. Justice Hawkins, and Mr. Justice Manisty, the two first named decided that it did not so apply, whilst the latter was of opinion that it did.

The effect of such decision is practically to permit the sale of game at all times, as the origin of the game is difficult of proof.

It is therefore proposed by this Bill to restore the effectiveness of the law as it existed unquestioned from 1831 to 1889, and at the same time to restrict its operation to such kinds of game birds as breed and are found wild in the United Kingdom, thus excluding from its operation the Norwegian and Canadian and other game birds, which are imported in large quantities, and to which the Act of William IV. might be held to apply if interpreted to extend to game imported from abroad.

A

B I L L

TO

Amend the Law in reference to the Illegal Possession of Game. A.D. 1891.

WHEREAS doubts have arisen whether section four of the Act one and two William the Fourth, chapter thirty-two, is applicable to birds of game imported from abroad exposed or offered for sale in that part of the United Kingdom called England, and it is expedient to remove the said doubts:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Definition of game birds. 1 & 2 W. 4. c. 32.

1. From and after the *passing of this Act* the provisions of the Act one and two William the Fourth, chapter thirty-two, section four, relating to the sale of game out of season, shall not apply to birds of game other than those named in the schedule to this Act, but the said fourth section of the said Act shall apply to all such birds of game whether they have been imported from abroad or not.

Short title.

2. This Act may be cited as the Possession of Game Act, 1891.

A.D. 1891.

SCHEDULE.

Pheasant, (Phasianus);
„ English (Colchicus);
„ Chinese or Ringnecked (Torquatus);
„ Japanese (Versicolour)—
and to the hybrids thereof.
Partridges (Perdix).
„ Grey (Cinerea).
„ Red-legged (Rubra).
Grouse (Tetral).
„ Red (Scoticus).
„ Black (Tetrix).
„ Ptarmigan (Lagopus).
Capercaillie (Tetrao urogallus).
Bustard (Otis).
„ Great (Tarda).
„ Little (Tetrax).

Possession of Game.

A

B I L L

To amend the Law in reference to the Illegal Possession of Game.

(*Prepared and brought in by Sir John Dorington, Mr. Mount, Mr. Whitmore, and Mr. Darling.*)

Ordered, by The House of Commons, *to be Printed,* 19 *February* 1891.

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[*Price* 1*d.*]

[Bill 226.]

Post Office Acts Amendment Bill.

ARRANGEMENT OF CLAUSES.

Inland Postal Regulations.

Clause.

1. Regulations as to circulars and documents, and words on registered newspapers.
2. Modification of 33 & 34 Vict. c. 79. s. 6, as to supplements to newspapers.
3. Breach of conditions in case of registered newspapers.
4. Maximum weight of registered newspapers and re-direction of postal packets.
5. Certificates of posting and delivery.
6. Power to Postmaster-General to authorise collection and delivery of letters otherwise than by post.

Land.

7. Consent of Treasury to dealings with land by Postmaster-General need not be proved.
8. Power for local authority to contribute land or money towards new post office.

Miscellaneous.

9. Exemption of officer of Post Office from offices, juries, &c.
10. Power of Postmaster-General to appear by officer of Post Office, or person authorised by him.
11. Criminal diverting of post letters from the addressee.
12. Forwarding of articles for analysis.

Supplemental.

13. Interpretation.
14. Repeal of enactments in schedule.
15. Short title.

SCHEDULE.

A

B I L L

TO

Amend the Post Office Acts and to make provision for the Service of the Post Office. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

Inland Postal Regulations.

Regulations as to circulars and documents, and words on registered newspapers. 38 & 39 Vict. c. 22.

1. A warrant of the Treasury under section four of the Post Office Act, 1875, made before the *first day of January* next after the *passing of this Act* may determine—

(*a*) what circulars or what commercial, legal, and other similar documents; and

(*b*) what marks, or indications referring to the contents of a registered newspaper, when written or printed on the newspaper or on the cover thereof,

shall not be charged with rates of postage as letters.

Modification of 33 & 34 Vict. c. 79. s. 6 as to supplements to newspapers. 33 & 34 Vict. c. 79.

2.—(1.) A warrant of the Treasury under section four of the Post Office Act, 1875, may modify the provisions of section six of the Post Office Act, 1870, respecting the supplement of a newspaper, so far as they apply to a supplement which consists wholly of engravings, prints, or lithographs illustrative of articles in the newspaper.

(2.) There shall be repealed so much of the said section six as requires the supplement to a newspaper to be unstitched, but no supplement to a registered newspaper shall be stitched up with or in any way fastened to the newspaper.

(3.) There shall be printed on every page of the supplement to a registered newspaper the word "Supplement," with the addition of the registered title of the newspaper to which it is a supplement.

A.D. 1891.

(4.) The supplement to a registered newspaper must be printed by the printer of the newspaper, or if consisting wholly of engravings, prints, or lithographs, for the proprietor of the newspaper, and must state on its face that it is so printed.

Breach of conditions in case of registered newspapers. 33 & 34 Vict. c. 79.

3. Where any number of a registered newspaper appears to the Postmaster-General, not to comply with the conditions in relation to such registration laid down by or in pursuance of any Post Office Act, he may, instead of striking the newspaper off the register, deal with the number in accordance with section fifteen of the Post Office Act, 1870, which relates to the dealing with registered newspapers sent otherwise than in conformity with the Act.

Maximum weight of registered newspapers and re-direction of postal packets. 38 & 39 Vict. c. 22.

4. A warrant of the Treasury under section four of the Post Office Act, 1875, may—

(*a*) fix the maximum weight of a registered newspaper as well as of any other postal packet, and

(*b*) make regulations respecting the re-direction of postal packets and the transmission of postal packets so re-directed, either free of the charges now imposed by law, or at such rates of postage as may be specified in the warrant.

Certificates of posting and delivery. 38 & 39 Vict. c. 22.

5. Section three of the Post Office Act, 1875, which provides for regulations respecting the giving of a receipt for a postal packet and the sum to be paid for such receipt shall extend to the giving and obtaining of certificates of posting and delivery of any postal packet in like manner as if a reference to "giving receipts for any postal packet," included a reference to giving and obtaining certificates of the posting or delivery thereof.

Power to Postmaster-General to authorise collection and delivery of letters otherwise than by post. See 3 & 4 Vict. c. 96. s. 18. See 38 & 39 Vict. c. 22. s. 4.

6. The Postmaster-General, with the consent of the Treasury, may, either generally or in the case of any particular person, authorise—

(*a*) letters or other postal packets to be sent, conveyed, and delivered otherwise than by post, and

(*b*) the collection otherwise than by an officer of the Post Office of any letters or postal packets, whether to be so sent or to be sent by post,

but the authority shall be subject in every case to such regulations, conditions, prohibitions, and restrictions as are specified in a warrant of the Treasury made on the representation of the Postmaster-General.

A.D. 1891.

Land.

Consent of Treasury to dealings with land by Postmaster-General need not be proved. *See* 26 & 27 Vict. c. 43. s. 3.

7. A person dealing with the Postmaster-General in respect of land, or rights in or over land, either as vendor, lessor, purchaser, lessee, or otherwise, shall not be bound or entitled to inquire whether the consent of the Treasury has been given to such dealing, or whether the dealing is in fact authorised by any Post Office Act.

Power for local authority to contribute land or money towards new post office.

8. Where the council of any borough or the urban sanitary authority of any district consider that it would be beneficial to the inhabitants of such borough or district that any new post office should be on a more expensive site, or of a larger size, or of a more ornate building or otherwise of a more expensive character than the Postmaster-General would otherwise provide, such council or authority may contribute towards such new post office, either by a grant of money or the appropriation of land belonging to the council or authority, or by the purchase of land for the purpose, and any costs incurred under this section may be paid out of the borough fund or borough rate or general district rate, as the case may be.

Miscellaneous.

Exemption of officer of Post Office from offices, juries, &c., 7 Will. 4. & 1 Vict. c. 33.

9. Section twelve of the Post Office Management Act, 1837, (which exempts the Postmaster-General and the officers of the Post Office from serving certain offices and from serving on any jury or inquest or in the militia), shall have full effect in Scotland, notwithstanding any subsequent enactment.

Power of Postmaster-General to appear by officer of Post Office, or person authorised by him.

10.—(1.) In any proceeding before a court of summary jurisdiction or in a county court, or in the sheriff court in Scotland, relating to any matter connected with the Post Office, the Postmaster-General may appear by any officer of the Post Office, or by any other person authorised in that behalf by the Postmaster-General, or the Solicitor to the Post Office, either generally or in any particular case.

(2.) Such officer or person may conduct or take part in any such proceeding, although he is not qualified to act, or recognised by law, as an attorney, solicitor, or writer to the Signet, and shall not be liable to any penalty for so doing.

Criminal diverting of post letters from the addressee.

11. Any person who, with intent to injure or annoy any other person, either opens a post letter which ought to have been delivered to such other person, or does any act or thing whereby the due delivery of such post letter to such other person is prevented, delayed, or impeded, shall be guilty of a misdemeanor, and be liable to a fine not exceeding *one hundred pounds*, or to imprisonment not exceeding *six months*.

A.D. 1891.

Forwarding of articles for analysis.
38 & 39 Vict. c. 63.

12. Nothing in section sixteen of the Sale of Food and Drugs Act, 1875, shall require an article forwarded to the analyst through the Post Office to be sent as a registered letter.

Supplemental.

Interpretation.
38 & 39 Vict. c. 22.
47 & 48 Vict. c. 76.

13.—(1.) In this Act—

The expression "postal packet" has the same meaning as in the Post Office Act, 1875, as amended by the Post Office Protection) Act, 1884, and includes such postal packets as are defined by regulations of the Treasury to be parcels, and includes a telegram.

The expression "registered newspaper" means a newspaper registered by the Postmaster-General for transmission by inland post.

The expression "number of a registered newspaper" includes the supplement to the number.

Other expressions have the same meaning as in the Post Office (Offences) Act, 1837.

7 Will. 4. & 1 Vict. c. 36.

(2.) This Act shall be deemed to be a Post Office Act within the meaning of the Post Office (Offences) Act, 1837.

Repeal of enactments in schedule.

14. The enactments specified in the schedule to this Act are hereby repealed from and after the commencement of this Act to the extent specified in the third column of that schedule.

Short title.

15. This Act may be cited as the Post Office Act, 1891.

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
3 & 4 Vict. c. 96. -	The Post Office (Duties) Act, 1840.	Sections fourteen and eighteen.
26 & 27 Vict. c. 43. -	The Post Office Lands Act, 1863.	Section three.
38 & 39 Vict. c. 63. -	The Sale of Food and Drugs Act, 1875.	In section sixteen the words "as a registered letter."

Post Office Acts Amendment.

A

B I L L

To amend the Post Office Acts and to make provision for the Service of the Post Office.

(*Prepared and brought in by Mr. Raikes and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed*, 15 *June* 1891.

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[*Price* 1*d.*]

[Bill 366.]

Post Office Acts Amendment Bill.

[AS AMENDED IN COMMITTEE.]

ARRANGEMENT OF CLAUSES.

Inland Postal Regulations.

Clause.

1. Regulations as to circulars and documents, and words on registered newspapers.
2. Modification of 33 & 34 Vict. c. 79. s. 6, as to supplements to newspapers.
3. Re-direction of postal packets.
4. Certificates of posting and delivery.
5. Power to Postmaster-General to authorise collection and delivery of letters otherwise than by post.

Land.

6. Consent of Treasury to dealings with land by Postmaster-General need not be proved.
7. Power for local authority to contribute land or money towards new post office.

Miscellaneous.

8. Exemption of officer of Post Office from offices, juries, &c.
9. Forwarding of articles for analysis.

Supplemental.

10. Interpretation.
11. Repeal of enactments in schedule.
12. Short title.

SCHEDULE.

A

B I L L

[AS AMENDED IN COMMITTEE]

TO

Amend the Post Office Acts and to make provision for the Service of the Post Office. A.D. 1891.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows :

Inland Postal Regulations.

Regulations as to circulars and documents, and words on registered newspapers. 38 & 39 Vict. c. 22.

1. A warrant of the Treasury under section four of the Post Office Act, 1875, made after the passing of this Act may determine—

(*a*) what circulars or what commercial, legal, and other similar documents; and

(*b*) what marks, or indications referring to the contents of a registered newspaper, when written or printed on the newspaper or on the cover thereof,

shall not be charged with rates of postage as letters.

Modification of 33 & 34 Vict. c. 79. s. 6 as to supplements to newspapers. 33 & 34 Vict. c. 79.

2.—(1.) A warrant of the Treasury under section four of the Post Office Act, 1875, may modify the provisions of section six of the Post Office Act, 1870, respecting the supplement of a newspaper, so far as they apply to a supplement which consists wholly of engravings, prints, or lithographs illustrative of articles in the newspaper.

(2.) There shall be repealed so much of the said section six as requires the supplement to a newspaper to be unstitched, but all sheets of a supplement shall be put together at some one part of the registered newspaper, whether gummed or stitched up with the newspaper or not.

(3.) There shall further be repealed so much of the said section six as requires the supplement to a newspaper to have the date of

A.D. 1891.

publication of the newspaper printed on the top of every page, or of every sheet or side on which any such engraving, print, or lithograph appears.

Re-direction of postal packets. 38 & 39 Vict. c. 22.

3. A warrant of the Treasury under section four of the Post Office Act, 1875, may make regulations respecting the re-direction of postal packets and the transmission of postal packets so re-directed, either free of the charges now imposed by law, or at such rates of postage as may be specified in the warrant.

Certificates of posting and delivery. 38 & 39 Vict. c. 22.

4. Section three of the Post Office Act, 1875, which provides for regulations respecting the giving of a receipt for a postal packet and the sum to be paid for such receipt shall extend to the giving and obtaining of certificates of posting and delivery of any postal packet in like manner as if a reference to "giving receipts for any postal packet," included a reference to giving and obtaining certificates of the posting or delivery thereof.

Power to Postmaster-General to authorise collection and delivery of letters otherwise than by post. See 3 & 4 Vict. c. 96. s. 18. See 38 & 39 Vict. c. 22. s. 4.

5. The Postmaster-General, with the consent of the Treasury, may, either generally or in the case of any particular person, authorise—

(*a*) letters or other postal packets to be sent, conveyed, and delivered otherwise than by post, and

(*b*) the collection otherwise than by an officer of the Post Office of any letters or postal packets, whether to be so sent or to be sent by post,

but the authority shall be subject in every case to such regulations, conditions, prohibitions, and restrictions as are specified in a warrant of the Treasury made on the representation of the Postmaster-General.

Land.

Consent of Treasury to dealings with land by Postmaster-General need not be proved. See 26 & 27 Vict. c. 43. s. 3.

6. A person dealing with the Postmaster-General in respect of land, or rights in or over land, either as vendor, lessor, purchaser, lessee, or otherwise, shall not be bound or entitled to inquire whether the consent of the Treasury has been given to such dealing, or whether the dealing is in fact authorised by any Post Office Act.

Power for local authority to contribute land or money towards new post office.

7. Where the council of any borough or the urban sanitary authority of any district consider that it would be beneficial to the inhabitants of such borough or district that any new post office should be on a more expensive site, or of a larger size, or of a more ornate building or otherwise of a more expensive character than the Postmaster-General would otherwise provide, such council or authority may contribute towards such new post office, either by a

grant of money or, with the consent of the Local Government Board, by the appropriation of land belonging to the council or authority, or by the purchase of land for the purpose, and any costs incurred under this section may be paid out of the borough fund or borough rate or general district rate, as the case may be.

Miscellaneous.

Exemption of officer of Post Office from offices, juries, &c., 7 Will. 4. & 1 Vict. c. 33.

8. Section twelve of the Post Office Management Act, 1837, (which exempts the Postmaster-General and the officers of the Post Office from serving certain offices and from serving on any jury or inquest or in the militia), shall have full effect in Scotland, notwithstanding any subsequent enactment.

Forwarding of articles for analysis. 38 & 39 Vict. c. 63.

9. Nothing in section sixteen of the Sale of Food and Drugs Act, 1875, shall require an article forwarded to the analyst through the Post Office to be sent as a registered letter.

Supplemental.

Interpretation. 38 & 39 Vict. c. 22. 47 & 48 Vict. c. 76.

10.—(1.) In this Act—

The expression "postal packet" has the same meaning as in the Post Office Act, 1875, as amended by the Post Office Protection) Act, 1884, and includes such postal packets as are defined by regulations of the Treasury to be parcels, and includes a telegram.

The expression "registered newspaper" means a newspaper registered by the Postmaster-General for transmission by inland post.

The expression "number of a registered newspaper" includes the supplement to the number.

Other expressions have the same meaning as in the Post Office (Offences) Act, 1837.

7 Will. 4. & 1 Vict. c. 36.

(2.) This Act shall be deemed to be a Post Office Act within the meaning of the Post Office (Offences) Act, 1837.

Repeal of enactments in schedule.

11. The enactments specified in the schedule to this Act are hereby repealed from and after the commencement of this Act to the extent specified in the third column of that schedule.

Short title.

12. This Act may be cited as the Post Office Act, 1891.

A.D. 1891

SCHEDULE.

ENACTMENTS REPEALED.

Session and Chapter.	Short Title.	Extent of Repeal.
3 & 4 Vict. c. 96. -	The Post Office (Duties) Act, 1840.	Sections fourteen and eighteen.
26 & 27 Vict. c. 43. -	The Post Office Lands Act, 1863.	Section three.
38 & 39 Vict. c. 63. -	The Sale of Food and Drugs Act, 1875.	In section sixteen the words "as a registered letter."

Post Office Acts Amendment.

A

B I L L

[AS AMENDED IN COMMITTEE]

To amend the Post Office Acts and to make provision for the Service of the Post Office.

(*Prepared and brought in by Mr. Raikes and Mr. Chancellor of the Exchequer.*)

Ordered, by The House of Commons, *to be Printed,* 6 *July* 1891.

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[Bill 405.]